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The First Day
House of Representatives
Helena, Montana
November, 23, 1889.

The First Legislative Assembly of the State of Montana duly assembled at the Court House of Lewis and Clark County, on the 23d day of November A.D. 1889. at the hour of 12 M., the said place and time being duly designated by the proclamation of His Excellency Joseph K. Toole Governor of the State of Montana.

In the absence of the State Auditor the House of Representatives was called to order by the Honorable C. P. Blakeley of Gallatin County the oldest Representative present who proceeded to call the roll of members elect to the First Legislative Assembly from the various Counties of the State of Montana as follows;

Beaverhead County - Robert J. Wing - Aaron C. Witter
Cascade County - E. D. Hastie - Chas Lachray -
Choteau County - J. M. Boardman - Samuel Mitchell
Dawson
Joint Representative Cascade Counties, Marlin Newcomer
Deer Lodge County - John M. Blair - C. M. Crutchfield -
William Hughes - Frank Hollywood -
John R. Toole - R. S. Hamilton -
C. K. Hardenbrook -
Fergus County - John D. Wallis -
John R. Barnes -
Lewis & Clarke County - David A. Corey
Alton M. Holter
John Horsky
P. H. Howey
Elijah Beach
Alfred F. Burns
Harry R. Conely
Wm Wallace Jr -
Madison County
T. Harrington
Patrick Carney
Meagher County - Jno. A. Woodson.
E. H. Goodman

Missoula County — Frank G. Higgins; P. L. Greenough; J. J. Phillips; J. B. Harlan; A. S. Blake

Park County — Charles H. Stebbins; Charles H. Eaford

Silver Bow County — Jas. K. Clark; Thos. F. Courtney; A. M. Day; A. M. Dessault; Henry L. Frank; Jno. B. Gilligan; Joseph Hogan; F. L. Melrose; Leopold F. Schmidt; F. A. Hoffman

Yellowstone County — Wm. H. Norton

Jefferson County — Peter Breen; Jas. C. Frothy; G. E. Poole

Joint Representative Gallatin & Jefferson Counties — Wm. C. Whaley

Gallatin County — C. B. Blakely; E. P. McElwee

Custer County — Hugh C. Moran; Chas. H. Loud.

Of whom the following named gentlemen appeared and answered to their names, to wit:

Deer Lodge County	C. W. Butchfield Sylvan Hugho C. K. Hardenbrook Frank Hollywood Jno. R. Poole
Fergus County	Jno. R. Barrows
Gallatin County	C. P. Blakeley D. P. McElwee
Joint Representative Gallatin Jefferson Counties	W. E. Whaley
Jefferson County	Jas. E. Twohy Peter Breeden G. E. Poole
Lewis and Clark County	Elijah Beach Alexander F. Burrus Harry R. Conly Wm Wallace Jr.
Madison County	Patrick Carney
Meagher County	Jno. A Woodson
Missoula County	Frank G. Higgins
Silver Bow County	Joseph K. Clarke Thos F. Courtney A. M. Day A. M. Desault Henry L. Frank Jno. Jr. Gilligan Joseph Hogan W. L. Penrose Leopold F. Schmidlitz

Constituting a quorum of the House of Representatives of the State of Montana

The Presiding Officer then announced the House of Representatives of the First Legislative Body of the State of Montana then and ready for the transaction of business

On behalf of Directors members elect last above named; Mr Frank of Silver Bow presented their respective credentials to the oldest member present, and a committee of five was appointed by the presiding Officer on credentials consisting of H. L. Frank- J. K. Poole- Dr Mc Wallace Jr & Dr Mc Haley- E. P. McElwee-

H. L. Frank Chairman on Committee of Credentials made the following report:

Mr Speaker.

Your Committee on credentials beg leave to report that they have examined into the credentials of those persons claiming to be Elected members of your Honorable Body and find therefrom the following named persons possess the proper credentials* and are entitled to membership and seats in your Body from the respective Counties named to wit:

Beaverhead County- Credentials not presented √

Cascade County — Credentials not presented

Joint Representative Cascade & Dawson Counties — Credentials not presented

Choteau County — Credentials not presented

Custer County - Credentials not presented

Gallatin County - Credentials not presented

Park County —— Credentials not presented

Deer Lodge County -

C. M. Crutchfield
Sylvan Hughes
C. K. Hardenbrook
Frank Hollywood
Jas. K. Poole

* Joint Certificates of Election from Co Clerks of respective Counties

Fergus County — Jno R. Barrows

Gallatin County — C. P. Blakeley
E. P. McElwee

Joint Representatives Gallatin & Jefferson counties — Jr = C. Jr Haley

Jefferson County — Peter Breen
Jas. C. Trothy
G. E. Poole

Lewis & Clarke County — Elijur Beach
Alexander F. Burno
Harry R. Conely
Wm Wallace Jr

Madison County — Patrick Carney

Meagher County — Jno. A. Groveson

Missoula County — Frank. G. Higgins

Silver Bow County — Joseph K. Clark
Chas. F. Courtney
A. M. Day
A. M. Dessaint
Henry L. Frank
Jno. W. Gilligan
Joseph Hogan
H. J. Palmer
Leopold F. Schmidlin

and we recommend the Committee to continue for further service.
all of which is respectfully submitted.

H. L. Frank
Chairman

and thereupon the Members-elect last above named stepped forward and took and subscribed the following oath of office before C. B. Nolan Notary Public in and for Lewis & Clarke County State of Montana.

State of Montana
County of Lewis & Clarke } ss

The undersigned being first duly sworn each for himself, and not for the other deposes and says:

I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharge the duties of my Office with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly any money or other valuable thing, to procure my Election except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any Election Law of this State; or procured it to be done by others in my behalf; that I will not knowingly receive directly, or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my Office other than the compensation allowed by law. So help me God

C. W. Butchfield
Sylvanus Hughs
E. K. Hardenbrook
Frank Hollywood
Jno. R. Poole
Jno. R. Barrows
E. P. Blakeley
D. P. McElwee
W. E. Whaley
Jno. E Tuohy
Peter Breen
G. E. Poole
Elijur Beach
Harry R. Conley
Wm Wallace Jr.
Alexander F Burns
Patrick Carney
Jno. A. Woodcock
Frank S. Higgins
Jos. K. Clark
Thos. F. Courtney
A. W. Day
Alphonso M. Dessault
Henry L. Frank
Jno. W. Gilligan
Jos Hogan
W. L. Penrose
Leopold F. Schmidlts

I do hereby certify that I administered the foregoing oath to the above named Members of the House of Representatives of the State of Montana on the 23d day of day of November A.D. 1889; that I administered said oath in the Hall of the House of Representatives in Helena, County and State aforesaid: and that the Office mentioned in the

foregoing oath is that I a member of the House of Representatives of said State

C. P. Nolan
Notary Public
Lewis and Clarke County
Montana

(Notarial Seal)

On Motion of Frank C. P. Blakely was Elected Speaker pro tem

On Motion of Breen Chas. J. Pond was elected Chief Clerk pro tem

On Motion of Courtney Mattes Fuller was Elected Sergeant-at-Arms pro tem

On Motion of County, Sam Alexander was Elected door keeper pro tem

The Speaker then instructed the Clerk to read the following communication from His Excellency Joseph K. Toole Governor of the State of Montana:

Helena Montana
Nov. 20th 1889

Captain John Smith
In charge of
House of Representatives
Helena Montana

Sir.

At 12 o'clock noon to day you will open the doors to the House of Representatives and admit no persons to the floor of said House except persons claiming to be Members of that Body when notified by any member whom you have admitted that the House of Representatives has temporarily organized you will turn over your keys to such persons as the House may designate.

If the Auditor of the State appears at the door before you have relieved by the persons designated by the House of Representatives you will admit him to the floor of the House.

When you are relieved by such persons your employment ceases

Jos. K. Toole
Governor

On motion of Wallace, Miles Finlen temporary Sergeant-at-arms was designated as the person to receive said keys from Captain Smith and hold them subject to the order of the House.

On motion of Conly a recess was taken until 2 o'clock P.M.

2. P.M.

House resumed

Mr. Speaker pro tem in the chair

Roll called and quorum present

On Motion of Conly the rules of the 16th Session of the Territorial House were adopted temporarily.

On Motion Towle recess was taken until 3.15 p.m.

3.15 p.m.

House resumed

Mr. Speaker pro tem in the chair

Roll Called - quorum present

On Motion of Frank the following list of temporary officers were elected. Assistant Chief clerk. Ed. H. Cooney - assistant Sergeant-at-arms W. L. Green - Engrossing clerk - Emmett Ryan Enrolling clerk - Vincent Fortune - Day watchman E.J. Owens - Night watchman Morgan Sherman Pages - Maurice Laughone and Felix Ryan Chaplain - S. J. Hocking - Door keeper - Henry Warrington in place of Saml Alexander who declined

On Motion of Wallace Mr Speaker pro tem appointed a committee of five on permanent organization consisting of the the following Members - Wm Wallace Jr Jno. R. Towle - W. G. Whaley - W. J. Runnels D. P. McElwee.

On Motion of Penrose house adjourned until 10. a. m. Monday.

Chas. F. Pond
Chief Clerk

Third Day

House of Representatives

Helena, Mont. November 25. 1889

House met pursuant to adjournment at 10 A.M.
Mr Speaker pro tem in the chair
Roll call - quorum present
Journal of first day read and approved
On motion of County oath was administered to the following County officers and prescribed as -

Chas. J. Pouch - Ed N. Cooney - Miles Finlen
Wm L. Green - Vincent Fortune - Emmett Ryan
S. J. Hocking - Maurice Langhorne - Felix Ryan
Henry Warrington - M. F. Sheehan

Frank chairman of Committee of Credentials Notified the House that Mr R. D. Hunter of Deer Lodge, was present and was entitled to Membership and his seat in this Body

Mr R. D. Hunter then took the following oath and subscribed to the same before C. B. Nolan, a Notary Public in and for the County of Lewis and Clarke, State of Montana } ss

I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; and that I have not paid or contributed or promised to pay or contribute either directly or indirectly, any money or other valuable thing to procure my nomination or election, except for necessary and proper expenses, expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf. that I will not knowingly receive directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law. So help me God.

Sig'd R. D. Hunter

Attest C. B. Nolan.
Notary Public

On Motion of Wallace a vote of thanks was tendered to C. B. Nolan for his kindness and courtesy in administering the oath.

On Motion of Poole House took a recess for 30 Minutes.

10.55 a.m.

House resumed

Mr Speaker pro tem in the chair

Wallace chairman Committe on permanent organization presented the following report.

Mr Speaker.

Your Committee on permanent organization beg leave to make the following Report. to wit

First. That the present temporary officers be chosen as the permanent Officers of the House of Representatives

Second: We recommend the appointment by the Speaker of a Committee of three on Rules, and recommend that said Committee be instructed to report as soon as may be, a complete set of Rules governing the transaction of the Ginral business of the House.

Third: We recommend the appointment by the Speaker of a Committee on Mileage

Fourth; Whereas: The Secretary of State has thus far failed and neglected to furnish the House of Representatives with needed supplies of Stationary &c, as in accordance with custom heretofore prevailing he should have done. We recommend that the House through a Committee to be therefor appointed by the Speaker, do forthwith make peremptory and formal demand upon the Secretary of State, to furnish such supplies.

Respectfully submitted by your Committee

Wm Wallace Jr
Chairman

On Motion of Cauley report was adopted. and Committee discharged

On Motion of Poole the Chief Clerk was instructed to cast one ballot for each of the present temporary Officers. which was done and they were

duly declared elected the permanent Speaker of the House of Representatives of the State of Montana.

On Motion duly the permanent Speaker took and subscribed to the same

State of Montana
County of Lewis & Clarke } ss

The undersigned being duly sworn, each for himself, and not one for the other Deposes and Says:

I do solemnly swear that I will support protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharged the duties of my Office with fidelity: that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing, to procure my nomination or Election, except for necessary and proper expenses expressly authorized by Law: that I have not knowingly violated any election law of this State or procured it to be done by others in my behalf: that I will not knowingly receive, directly or indirectly any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my Office, other than the compensation allowed by Law-

E. P. Blakey - Chas J. Pouch
Ed H. Cooney - Mild Fuller
H. L. Green - Vincent Forlano
Emmett Ryan - E. J. Owen
H. Warrington - M. L. Sherman
Felix Ryan - Maurice Langhorne
L. L. Hocking

Attest

E. B. Howe
Notarial Seal
Notary Public in and
for county of Lewis & Clark. State of Montana

On Motion of Pierce Committee of three were appointed by the Chair to notify His Excellency Jos. K. Toole Governor of the State of Montana that the House of Representatives of

The First Legislative Assembly of the State of Montana was hereby organized and declared to receive communications and transact business," said Committee consisting of the following named Gentlemen

Poole, Wallace and Shirley

Beach offered the following resolution

Resolved - That a committee of three be appointed by the Chair to proceed to the Senate & if organized and inform that Body the House was organized by the Election of the following named officers to wit

Hon. C. P. Blakeley - Speaker
Chas. J. Pond - Chief Clerk
Ed. B. Cooney - Assistant Chief Clerk
Miles Finley - Sergeant at arms
W. L. Green - Assistant Sgt at arms
Vincent Fortune - Engrossing Clerk
Emmett Ryan - Enrolling Clerk
E. J. Owens - Day Watchman
M. F. Sherman - Night Watchman
Felix Ryan - Page
Maurice Laughorne - Page
Henry Hammerstrom - Doorkeeper
S. L. Hocking - Chaplain

On Motion of Wallace the motion was adopted and the Chair appointed Beach, Brown and Entwistle as a committee in conformity with the resolution. On motion the Chair appointed, Barnes, Conley and Poole

On motion of Conley House took a recess of 20. Minutes
of 12.m

House Resumed
Mr Speaker in the Chair
Mr Speaker appointed as Committee on Judiciary Purcell, Hunter and Higgins in conformity with the report of the committee on Permanent organization

On Motion of Beach House took a recess until 2. P.M.

2. p.m.
House resumed
Mr. Speaker in the chair
Roll call ed - no quorum present
On Motion of Wallace Sergeant at Arms was
instructed to bring absent members
on motion of Wallace House was called
quorum present further call of House
dispensed with on motion of Poole
Poole Chairman on Committee to
Notify His Excellency Jos. K. Toole Governor
of the State of Montana made the following
report
Mr Speaker

Your Committee appointed to wait
upon the Hon. Jos. K. Toole Governor of the
State of Montana and inform him of
the permanent organization of the House
of Representatives of the first Legislative
Assembly of the State of Montana and of
its preparation to receive communications
and transact business, beg leave to report
that it has performed the duties assigned
to it by proceeding to the Executive Office
in the Court House building at Helena
Montana where its members found the
Hon. Jos. K. Toole and did notify him
that the House of Representatives of the first
Legislative Assembly of the State of Montana
had met pursuant to the Governors
Proclimation and call, and elected a per-
manent organization in the place des-
ignated as the State House to wit: in the
Legislative Hall of the Court House building
at Helena Montana. by the election and
installation of the following named persons
to the following offices respectively to wit:
Hon. C. P. Blakeley. Speaker - Chas J. Pond
Chief Clerk - Ed. N. Conway - Assistant Chief Clerk -
Miss Fillen Sergeant at Arms - H. L. Freed. Assistant
Sergeant at Arms - E. J. Owens. Day watchman
Vincent Fortune Engrossing clerk. Emmett Ryan
Enrolling clerk - H Hamilton Low-Doorkeeper -
M. L Sherman - night watchman - Mamie Smyth
and Celia Ryan - Pages - S. J. Hocking - Chaplain

and that it was an organized Legislature prepared to receive communications and transact business, and that thereupon His Excellency requested your Committee to report the House of Representatives that he accepted and received your Committee's official notification but would probably have no communication to make to Your Honorable Body until the organization of the Senate of which he had as yet received no official notification.

D. E. Poole
Chairman
 Op. C. Whaley Wm. Wallace

On Motion of Beach report was accepted and Committee discharged

Wallace Chairman on Committee to notify Secretary of State that the House was organized, and demand supplies from him, made the following report.

Mr. Speaker

Your Committee appointed to wait on the Secretary of State and notify him of our organization and demand of him that he furnish us with supplies beg leave to inform your Honorable Body that we have performed the duties assigned by proceeding to the Secretary's Office where we found the Honorable Louis Rotwitt Secretary of State whom we notified that the House of Representatives of the Legislative Assembly of the State of Montana had permanently organized in the Legislative Hall in the Court House Building at Helena Montana, and was prepared to transact business, and upon whom we made the request and demand above mentioned. In response to which information we demanded the Secretary of State informed your Committee that he could find no law requiring the Secretary of State to furnish the House with such supplies, and he must therefore decline to do so.

Respectfully Submitted

Wm Wallace Jr. Chairman
J. K. Clark and Alex Burns

on Motion of Beach report was adopted and Committee discharged

Wallace offered the following resolution

"Whereas; the expenses incident upon the sessions of our previous Territorial Legislatures have been borne by the United States, drawn through the Territorial Secretary, which is now no longer the case and Whereas, there is now no provision of law covering the question of necessary Supplies of Stationary Books Etc, for the House of Representatives Section 26 of Article 5 of the State Constitution contemplating laws regulating this subject yet to be enacted and, Whereas: because of the absence of laws requiring him to do so the Secretary of State has formaly refused to supply the House with such materials - Now - Therefore be it resolved, that the Speaker do appoint a Committee consisting of three Members whose duty it shall be to keep the House of Representatives supplied with all needful materials above referred to, until provision shall be therefor made by law, doing so by such means and in such manner as in their good judgment shall seem most advisable,

on Motion of Whaley the Resolution was adopted and the Chair appointed Beach, Day and Hunter as a Committe in conformity with the resolution

on Motion Wallace the Committe on supplies were instructed to make arrangements to procure copies of the different Daily Newspapers of the city of Helena for the use of members of the House

on Motion of Barnes the House adjourned until 10. a.m. tomorrow

John F. Davis
Chief Clerk

Fourth Day

House of Representatives
Helena, Montana
November 26. 1889.

House met pursuant to adjournment at 10. o'clock. a. m.

Mr. Speaker in the chair

Roll called - no quorum present

Prayer by the Chaplain

On motion of Pooler recess of 30 minutes was taken

10.45. a. m.

House resumed

Mr. Speaker in the Chair

Roll called - quorum present

Journal of third day read and approved.

Mr. Frank Chairman of committee on credentials, made the following report

Mr. Speaker

Your committee on credentials heretofore appointed on the temporary organization of the House, as continued for further business, beg leave to submit by way of supplementary report, the following

On addition to examining the credentials presented by the members elect who have taken the oath of office and are now members of the House, your committee has sought out and examined such evidence as was available, upon the subject of the credentials of those persons embraced as members elect in the roll and list originally had by the oldest member upon the convening of the House as a Legislative Body, and after examining the returns from the respective counties in the State, now on the file of the Secretary of State, and such other evidence as came before it, find that the following named persons in addition to those who have already taken the oath of office, possess the requisite credentials and are entitled, upon taking the oath of office, to sit and act as members of the House from the respective counties hereinafter named to. Wit:

Beaverhead County - Robt. J. Wing
Aaron. E. Witter

	Cascade County	E. D. Hastie Chas Lockray
	Choteau County	J. W. Boardman Samuel Mitchell
	Custer County	Hugh C. Moran Charles C. Loud
Joint Representation	Dawson and Cascade Counties	Martin Newcomer
	Deer Lodge County	Jno. M. Blair
	Fergus County	Jno. D. Hatch
	Lewis and Clarke County	Daniel H. Corey Auson M. Holter John Horsky R. H. Howey
	Madison County	F. Harrington
	Meagher County	E. H. Goodman
	Missoula County	P. L. Brannagh J. J. Phillips W. B. Harlan A. S. Blake
	Park County	Charles H. Stebbins Charles H. Eaton
	Silver Bow County	F. H. Hoffman
	Yellowstone County	William H. Norton

Respectfully submitted
H. L. Frank - Chairman

On Motion of Poole report was adopted and committee continued for further service

On Motion of Gilligan the House at 11 o'clock until 2. P.M.

2. P.M.

House resumed

Mr Speaker in the chair

Roll called - quorum present

Beach Chairman on Committee on Supplies reported as follows.

Mr Speaker

We, Your Committee, appointed to provide supplies for this Body beg leave to report that we have made out and submitted two lists of supplies needed, one list to each of the following firms in Helena. to E. K. Wells, and to Clarke Conrad & Curtis, and E. K. Wells being the lowest bidder we have contracted with him for such supplies as may be necessary during the Session.

We further report that we called upon the Honorable Secretary of State and he kindly consented to furnish 12 copies each of the following:- 12 Copies of the Compiled Statutes 12 Copies of the Extraordinary Sessions - 12 Copies of the 16th Legislative Assembly. upon your Committee notifying for the same

All of which is Respectfully submitted

E. Beach

Chairman

On Motion of Wallace report was adopted and Committee continued for further services

On Motion of Wallace a vote of thanks was tendered to Honorable Louis Roberts Secretary of State for his kindness and courtesy in supplying to the House of Representatives 6 Copies of the Compiled Statutes, 6 Copies of the Extraordinary Sessions, and Copies of the 16th Legislative Assembly of the Territory of Montana.

On Motion of Beach the House adjourned until 10. A.M. tomorrow.

Chas. S. Pond

Chief Clerk.

Fifth Day
House of Representatives
Helena Montana
November 27. 1889

House met pursuant to adjournment at
10. o'clock. A. M.
Mr Speaker in the chair
Roll called - no quorum present
Prayer by the Chaplain
The absentees having appeared in their
seats (with the exception of E. Bragg) the Minutes of Fourth Day were
read and approved.
On motion of County House took a recess
of 30 minutes
10.55. A. M.
House reconvened
Mr. Speaker in the chair
Frank called upon to take the chair.
Penrose introduced the following resolution:
"To the Honorable President of the Senate and
Speaker of the House of Representatives of the
United States of America."
Whereas. The Northern Pacific Railroad Company
under the provisions of its Grant claims title
or the right to procure title to a large area
of the Mineral lands of Montana embracing
a large number of our best Gold, Silver, Copper,
and Coal producing districts, and, Whereas:
Congress in its Grant to said Railroad
Company has excluded all Mineral lands,
except Coal and Iron lands, but has failed to
define what are Mineral lands within the mean-
ing of said Grant; and, Whereas, Numerous con-
troversies have arisen relating the definition
of what constitutes Mineral land, and, Whereas:
If Patents should be issued to the said Rail-
road Company for those Mineral lands already
certified to them for Patent by the United States
Land Officers, a great number of discovered and
recorded mines now in process of development
would be taken from the Patent Claimants
and would not only work a great hardship
and loss of property to individuals, but would
also be very disasterous to the mining interests
of Montana. Now Therefore, We your Petitioners

The House of Representatives of the State of Montana, do most earnestly pray of our Honorable Bodies to immediately take such steps and enact such necessary Legislation as will prevent said Northern Pacific Railroad Company from acquiring title to our Mineral domain under the provisions of their Grant, or in any other manner except as prescribed under the laws of the United States relative to Mineral lands.

Be it further Resolved: That in presenting this Resolution we are actuated only by feelings of great anxiety for the welfare of the Citizens of our State, many of whom are in great danger of having their property wrested from them by the said Northern Pacific Company if they are allowed the privileges of the provisions of their grant as construed by them.

On motion of Poole the resolution was adopted.

Wallace introduced the following

Whereas: The National Silver Convention heretofore called to assemble at the City of St Louis in the State of Missouri on November 26th. 1889. there to consider and devise means to further and protect the interests of silver as a metal and as a medium of circulation: has regularly assembled pursuant to such call the number of 350 delegates among whom are delegates duly empowered and Commissioned by the Executive of Montana to represent the interests of this State in such Convention. And Whereas; Montana has of late years been steadily and rapidly increasing her output of the precious metals, including silver until she has become one of the Chiefest, if not the Chiefest metal producing Commonwealth in the Union. And Whereas, of these productions, silver occupies the foremost place, in its mining and reduction, giving employment to thousands of Laborers, and to Millions of Capital, and our number of producing silver mines, could, and would be many times increased, could the present depression of silver be removed. And Whereas: The chief cause of the depression is the restriction

of its Coinage and circulation as money. —
Be it resolved: That we the House of Representatives
of the State of Montana, recognize the importance
of the Convention and its deliberations, to the
People of our State, to favor and the force of
its utterances, as representing the rapidly growing
interests and increasing resources of the West to
combat and counteract the Gold-sustaining and
Silver-destroying Combinations of Wall Street
and the Extreme East, that we extend to them
our hearty support in their efforts to sustain
and remonetize Silver, and to this end we call upon
the Delegates representing them, the interests of
our State, as well as all others having at heart
the prosperity of the Silver-producing districts of
our Union, to do all in their power to persuade
the Convention to vote favoring the unlimited
Coinage of Silver, and to lend their hearty support
to all measures proposed that may be conducive
to that end.

On Motion of Crosby the resolution was
adopted.

On Motion of Hunter the resolution to be
sent by wire.

On Motion of Hunter a committee of
Two, Wallace and Hunter, were appointed by the
Chair to attend to sending the resolution by
wire.

On Motion of Penrose House took a recess
for 15 minutes.

1.35 A.M.

House resumed

Mr Speaker in the Chair

Crosby introduced the following resolution:

Whereas: the present disorganized condition of
the Legislative Assembly of the State of Montana is
a reality to be deplored by all just and true men
and good citizens, and while we do not consider
that the members of this House of Representatives
are in the least responsible for such disorganization, yet we are prone to believe that a decent
regard for the opinions of the people, should
prompt those entrusted by the people with such
powers and trusts as those of Legislators, to at
declare their reasons for [illegible] action and

institutions for the future. Therefore be it Resolved by the House of Representatives of the State of Montana, that it is contrary and antagonistic to the principles which underlies the foundation of our American Republic, to in any manner recognize as Representatives in the Legislative Assembly of a free people any person or body of persons who do not derive their authority to act by virtue of an election by the people. That we characterize the action of returning boards as revolutionary and subversive of democratic institutions and a Republican form of government, who disregarding their official duties in the interest of political parties, and ambitious demagogues, have ignored the expressed will of the people at the ballot box and issued certificates of election to candidates who were not elected by the people's votes.

Resolved. that in the interest of free government and for the future welfare of the people as well as in the furtherance of justice, right and the protection of the ballot box from irresponsible returning boards, it becomes our duty to pursue the course we have already followed in the recognition of our members and that we base the right of one to act as a Representative upon the fact of his election by the people irrespective of all fraudulent and illegal action of returning boards surrounded as they may be by certificates and seal. ever remembering the declaration of John Adams in a similar case in Congress "The Great Seal of the State is not broad enough to cover fraud"

On Motion of Penrose resolution placed on special order for 1 o'clock and House took a recess until 1. P.M.

1. P.M.

House resumed

Mr Speaker in the chair.

Roll called - no quorum ...

on motion of Wallace call of the house - no quorum

Took by Beach - absent. Motion for Call of House lost.

on motion of Lemly House took a recess for 20 minutes

1.35 P.M.

House resumed

Mr Speaker in the chair

Roll called - quorum present - E. Beach absent

on Motion of Wallace Lemay's resolution was ordered read

On Motion of Frank further consideration of "Lemay's Resolution" postponed.

On motion of Hogan, the House adjourned until 2 p.m. Friday -

Thos B Pope
Acting Clerk

Seventh Day
House of Representatives
Helena, Montana
November 29. 1889

House met pursuant to adjournment
at 2. P. M.
Mr Speaker in the chair
Roll called - no quorum present
Leutchfield. Hardenbrook. Higgins. Mc Elwee & Poole
absent
Prayer by Rev. Dr Price
Chair granted Leutchfield leave of absence
until Monday
On Motion of Dillman the House adjourned until 10. A. M. tomorrow.

John R. Good
Chief Clerk

Eighth Day
House of Representatives
Helena, Montana
November 20. 1889

House met pursuant to adjournment at
10. O'Clock A. M.
Mr Speaker in the Chair
Roll called - no quorum present
Clarke, Conway, Dessault, Frank, Higgins
Hollywood, Hunter, Poole, Schmidth, and Woolson
absent
Prayer by the Chaplain
On Motion of Whaley House adjourned until
Monday 4 P.M.

Chas. Pond
Chief Clerk

Fifth Day
House of Representatives
of Helena, Montana
December 2nd 1889

House met pursuant to adjournment at 4 p.m.
Mr Speaker in the chair
Roll call - no quorum present
Desmarais and Higgins absent
On motion of Wallace the House took a recess for 15 minutes.
4.20 p.m.
House resumed
Mr Speaker in the chair
Absentees appearing in their seats with the exception of Higgins
The minutes of the Fifth, Seventh and Eighth day were read and approved
On motion of Hogan, House adjourned until 10 a.m. tomorrow.

Wm. B. Ward
Chief Clerk

Eleventh Day

House of Representatives
Helena, Montana
December 3d 1889.

House met pursuant to adjournment at 10 A.M.
Mr Speaker in the chair
Roll called – quorum present
Minutes of Tenth day read and approved.
Committee on Rules reported as follows:

"The Committee on Rules respectfully submit the following code of Rules and ask that the same be accepted and printed with Article 5 of the Constitution of the State of Montana.

Jno. R. Barrows
Chairman

On motion of Wallace Report on Rules was referred to the Committee of the Whole.

On motion of Poole House took a recess until 2. P. M.

2. P. M.
House resumed
Mr Speaker in the chair.
Roll called – quorum present

On motion of Wallace House resolved itself into a Committee of the Whole, to consider the report of the Committee on Rules. Poole in the chair.
Committee arose.
House resumed
Mr Speaker in the chair
Poole. Chairman of the Committee of the Whole reported progress, and asked leave to sit again.

On motion of Hogan. House adjourned until 10. A. M. tomorrow.

Chief Clerk

Twelfth Day
House of Representatives
Helena. Montana.
December 4th 1889

House met pursuant to adjournment at 10. a. m.
Mr Speaker in the chair
Roll called - quorum present - Minutes of eleventh day read & approved
Prayer by the Chaplain

On motion of Frank Conley's Resolution was placed on Special Order for 2 p. m

On motion of Hogan, House resolved itself into a Committee of the Whole for further consideration of the report of Committee on Rules
Committee arose
House resumed
Mr Speaker in the chair
Toole Chairman of the Committee of the Whole reported that the adoption of the rules as amended and asked for further time to make report

On motion of Frank Conley's resolution was changed from 2 p. m. and made Special Order for 10 a. m. tomorrow

on motion of Whaley. House adjourned until 10 a. m. Tomorrow

Chas. Rood
Chief Clerk

Thirteenth Day
House of Representatives
Helena, Montana
December 6th 1889.

House met pursuant to adjournment at 10. a.m.
Mr Speaker in the chair
Roll called- no quorum present
Prayer by the Chaplain
On Motion of Whaley house to a recess for 15 Minutes
10.25 a.m.
House resumed.
Mr Speaker in the chair
Absentees appearing in their seats
Minutes of the 12th Day read and approved.
On motion of Carney, Conley's resolution special order for 10.a.m. was postponed until 2. p.m.
On motion of Gilligan, Courtney was granted leave of absence until Monday
Foote Chairman of the Committe of the whole. made the following report:
Mr Speaker.
Your Committee of the whole, to whom were referred the report of the Committee on rules, beg leave to report that it has had said report under consideration and recommend its adoption with amendments thereto
Jno. R. Foote
Chairman
On motion of Poole the report was received and adopted
On motion of Conley the rules were ordered printed and the Chair discharged the Committee on supplies to attend to the same
On motion of Penrose House took a recess for 80 minutes
12. p.m.
House resumed- Mr Speaker in the chair
On motion of Foote House took a recess until 2. P.M.
2. P.M.
House resumed- Mr Speaker in the chair- Roll called- quorum present- On motion of Carney Conleys resolution special order for 2. P.M. was postponed until 10.a.m. tomorrow
On motion of Foote House adjourned until 10.a.m. tomorrow

Following are the rules adopted for the Government of the House:

Meeting, Quorum, Privileges, Etc,

1 — The hour for the meeting of the House shall be at 10 o'clock A. M. unless the House directs otherwise.

2 — Before proceeding to business, the roll of the members elected to the House shall be called, and the names of those present and absent shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business; a smaller number however, can adjourn from time to time, and shall have power to compel the attendance of absent members.

3 — No member or officer of the House, unless from illness or other cause he shall be unable to attend, shall absent himself from the sessions of the House during an entire day without first having obtained leave of absence.

4 — Contestants for seats shall have the privileges of the House until their respective cases are disposed of; the privileges to attend only so far as access to the House chamber, during the time occupied in settling the contest

Who may be admitted to the floor

5 — Persons of the following classes, and no others, shall be admitted to the floor of the House during the session thereof, viz.: the Governor and Lieutenant Governor, members of the late Constitutional Convention, the State officers, members of Congress, Judges of the courts, all Editors of newspapers within the State, Reporters for the press; and such other persons as the Speaker may invite

Disturbance in Lobby

6 — Whenever any disturbance or disorderly conduct shall occur in the lobby or gallery, the Speaker (or Chairman of Committee of the Whole) shall have power to cause the same to be cleared of all persons, except Members and officers of the House

Duties of the Speaker

7- It shall be the general duty of the Speaker:

To open the session at the time to which the House is adjourned, by taking the chair, and calling the members to order;

To announce the business before the House in the order in which it is to be acted upon;

To receive and submit in the proper manner, all motions and propositions presented by the members;

To put to vote all questions which are regularly moved, or which necessarily arise in the course of proceedings, and to announce the result;

To inform the House, when necessary, or when referred to for the purpose, in a point of order or practice;

To receive messages and other communications from other branches of the government and announce them to the House;

To authenticate, by his signature, when necessary, all the acts, orders and privileges of the House;

To name members when directed to do so in a particular case, or when it is part of his general duty by these rules — who are to serve on committees, and in general;

To represent and stand for the House, declaring its will, and in all things obeying its commands. Every officer of the House is subordinate to the Speaker, and in all that relates to the proper and correct discharge of official duty, is under his supervision.

8- The Speaker shall preserve order and decorum, may speak to points of order in preference to others, rising from his seat for that purpose; and he shall decide questions of order, subject to an appeal to the House by any member; on which appeal no member shall speak more than once, unless by leave of the House. On an appeal being taken, the question shall be: "Shall the decision of the chair stand as the judgment of the House?" Which question, and the action of the House thereon, shall be entered on the journal.

9- The Speaker may call a member to the chair, but such substitution shall not extend beyond an adjournment.

10- In the absence of the Speaker, the House shall elect a Speaker pro tempore, whose office shall cease upon the return of the Speaker.

11- The Speaker shall vote on a call for the yeas and nays, and his name shall be recorded with those of the other members.

Duties of the Clerk.

12- The Chief Clerk shall keep a correct journal of the daily proceedings of the House and perform such other duties as may be assigned to him; he shall superintend the recording of the journals of proceedings, engrossing, enrolling, transcribing and copying of bills, resolutions, etc.; shall permit no records or papers belonging to the House to be taken out of his custody, otherwise than in the regular course of business; shall report any missing papers to the notice of the Speaker; and generally shall perform, under direction of the Speaker, all the duties pertaining to his office as clerk

Chief Clerk may correct certain errors.

13- The Chief Clerk and his engrossing clerks, in all proper cases, shall correct any mere clerical error in any House bill, memorial or resolution, such as errors in orthography, or the use of one word for another, as affect for "effect," previous for "previously," and the like; and also all mistakes in numbering the sections and references thereto, whether such mistakes occur in the original bill or are caused by amendments made thereto; provided such corrections shall not be made after engrossment, except by an order of the House. But no corrections, other than such as are authorized by this rules, shall be made at any time by the Clerk or his assistants, unless upon the order of the House.

On questions of orthography, Webster's Unabridged Dictionary shall be taken as the standard.

Acts, etc., to be signed by Speaker and Clerk.

14- All acts, addresses and resolutions shall be signed by the Speaker, and all writs, warrants and subpoenas issued by order of the House, shall be under his hand and attested by the Clerk.

Duties of the Sergeant-at-arms

15- It shall be the duty of the Sergeant-at-Arms. to execute all orders of the Speaker or House, and to perform all the duties they may assign to him connected with the Police and good order of the House chamber; to exercise a supervision over the ingress and egress of all persons to and from the chamber; to see that messages, etc., are promptly executed; that the chamber is properly ventilated, and is open for the use of the Members of the House from 8 a.m. until 10. P.m. and to perform all other services pertaining to the office of Sergeant-at-arms.

Standing Committees.

16- Standing committees, consisting of three, five, or seven members each, at the option of the Speaker, shall be appointed on the following subjects:

1. Ways and Means.
2. Judiciary
3. Appropriations
4. Elections.
5. Agriculture, Manufactures and Stock Growing.
6. Education and Labor.
7. Mines and Minerals.
8. Towns, Counties and Highways.
9. Engrossment.
10. Printing
11. Incorporations
12. Military Affairs.
13. Revision.
14. Federal Relations.
15. Internal Improvements.
16. Enrollment.
17. Public Lands.
18. Water Rights and Irrigation.

Majority and Minority Reports

17- In case all the members of any Committee required or entitled to report on any subject referred to them cannot agree upon a report the majority and minority of such Committee may each make a seperate report; and any member dissenting in whole or in part from the reasonings or conclusions of both the majority and minority may also present to the House a statement of his reasoning and conclusion; and all reports, if decorous in language and respectful to the House, shall be entered at length on the journal.

Title of bill to be recited

18- Every Committee in reporting upon any bill or Memorial, shall recite at length, in their report, the Title of such bill or memorial, as well as the number thereof.

Absence of Committee

19- No Committee shall absent themselves by reason of their appointment, during the sitting of the House, without special leave, except Committee of Conference, Engrossment or Enrollment.

Revisory Committee

20- The Committee on Revision shall examine and correct the bills which are referred to it, for the purpose of avoiding repetition and unconstitutional provisions, insuring accuracy in the text and reference and consistency with existing statutes; provided, that any changes in the sense or legal effect or any material changes in the construction, shall be reported to the House as an amendment.

Engrossment of Bills

21- Whenever a House bill, which is fairly written, without interlineation or erasure, is ordered to be engrossed for a third reading, without amendment, the Committee on Engrossed Bills may report such bill back to the House as an Engrossed bill.

Rebort on enrolled bill.

22— The committee on Enrollment shall not report any bill as correctly enrolled that has any words interlined therein, or whose any words have been erased therefrom.

23— It shall be in order for the committee on Enrollment to report at any time, except when questions are being called, or a call of the House is being had.

24— No standing or select committee, or any member thereof, shall report any "substitute" or "amendment" for any bill, or bills or resolution, referred to such committee, which substitute or amendment relates to a different subject, or is intended to accomplish a different purpose than that of the original bill or resolution for which it is reported, or which if adopted or passed, would require a title essentially different from the title of the original bill or resolution; and any substitute, bill or resolution so reported, shall be rejected whenever the House is advised that the same is in violation of this rule. This rule shall not be suspended.

25— No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment, and no bill or resolution shall at any time be amended by annexing thereto, or incorporating therein, any other bill or resolution pending before the House. This rule shall not be suspended.

Order of Business

26— The first business of each day's session shall be the reading of the journal of the preceding day and the correction of any error that may be found to exist therein, after which the order of business shall be as follows, viz;

1. Presentation of petitions
2. Notices
3. Introduction of bills

4. Reading of House bills, resolutions and memorials.
5. Reports of standing committees
6 Reports of Select Committees
7. Motions and resolutions.
8. Consideration of messages from the Senate.
9. Third reading of House bills
10. Third reading of Senate bills.
11. Consideration of the general orders
12. Unfinished business

Petitions

27— Petitions, memorials, communications and all other papers addressed to the House shall be presented by a member in his place; a brief statement of the contents thereof shall be made verbally and endorsed thereon, together with his name, by the member introducing the same.

Introduction of Resolutions.

28— Any member offering a resolution in the House may read the same in his place before sending it to the Chair. It shall then be read by the Clerk, unless otherwise ordered by the House and when so read or upon the reading being dispensed with shall be considered before the House; but it shall not be acted on by the House on the same day on which it is offered, without leave.

29— All bills and resolutions offered in the House by any member or committee shall be indorsed by the member or Committee offering the same.

First and second reading of bills

30— The first reading of the bill shall be for information and if objection be made to it, the question shall be, "Shall the bill be rejected?" If no objection be made, or the question to reject be lost, the bill shall go to its second reading without further question.

Bills not committed until twice read

31– No bill or resolution that requires three readings shall be committed or amended until it shall have been twice read; and all joint resolutions which will require the signature of the Governor shall take the same course as to their readings, as in the case of bills, unless otherwise ordered by the House.

Reference of Bills, etc.

32– On the second reading, every bill or Memorial requiring three readings, shall be referred to the appropriate standing committee which shall be announced by the Speaker, unless the House, on motion, make a different order in relation thereto. This rule shall apply as well to bills and Memorials originating in the Senate, as to those originating in the House, but bills reported by joint committee shall be excepted.

Printing of Bills

33– One hundred and fifty copies of every bill shall be printed after a second reading, unless otherwise ordered, and all bills, resolutions and memorials, that shall be printed, shall remain at least one day on the files, after being printed, before being considered

Reading of Bills.

34– If the House shall dispense with the printing of any memorial, such memorial shall be read at length at least once before its final passage, and this rule shall not be suspended without the unanimous consent of the House.

35– The second and third readings of Bills appropriating money shall be at length, and a suspension of this rule shall not be made without the unanimous consent of the House.

36- Every bill shall receive three several readings previous to its passage, but no bill shall receive its second and third readings on the same day, and no bill shall receive its third reading that has not been referred to one of the Standing Committees of the House, or to a Joint Committee of the Senate and House. All bills, memorials or Joint resolutions on their second readings, unless otherwise provided in these rules, shall be read by their titles.

General Orders

37- Bills remitted to committees and reported back by them, bills originating with and reported by committees and bills taking no other reference shall constitute the "General Orders." Bills in the general orders shall be arranged therein by the Clerk in the order in which they are reported, or referred thereto as aforesaid, and shall be considered in the same order unless the House shall direct otherwise.

37.B- The business of the general orders shall be taken up in the following manner, viz: The Clerk shall announce the title of each bill or other matter as it shall be reached in its order, whereupon it shall be taken up on the call of any member, without the putting of a question therefor, but if not so moved, it shall lose its precedence for the day. And whenever three bills have been thus moved, the House shall go into Committee of the whole upon them without further order, but no bill or other matter shall be taken out of its order, except by vote of two-thirds of the members present

Bills to be considered in Committee of the Whole.

38.A- All bills, resolutions, memorials, etc, requiring the approval of the Governor, shall, after the second reading, be considered by the House in Committee of the Whole, before they shall be taken up and considered by the House.

How Business is Conducted

Addressing the Speaker

39— When a member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address the Chair, thus: "Mr Speaker," and shall confine himself to the question under debate, and avoid personality.

Speaker to decide who has the floor

40— When two or more members shall rise at the same time the Speaker shall name the person who is first to speak.

Call to order while speaking

41— When a member is called to order, he shall sit down and shall not speak, except in explanation, until it shall have been determined whether he was in order or not, and if a member be called to order for words spoken, the exceptional words shall be taken down in writing, that the Speaker and House may be better able to adjudge the question.

Speaking more than twice, or out of place prohibited

42— No member shall speak except in his place, nor more than twice on any question, except on leave of the House.

Order while the Speaker or a member is speaking.

43— While the Speaker is addressing the House, or putting a question, no member shall cross the floor, no leave the House, nor, while a member is speaking, walk between him and the Chair.

Motions

44— When a question is under debate, no motion shall be received, except ——

1. To adjourn.
2. To lay on the table.
3. For the previous question
4. To postpone indefinitely
5. To postpone to a day certain
6. To commit
7. To amend.

And these several motions shall have precedence in the order in which they stand arranged in this rule.

45— A motion to strike out the enacting clause of a House bill shall be considered equivalent to a motion to indefinitely postpone.

No member to speak more than twice without leave.

46— If a question pending be lost by adjournment, and revived on the succeeding day, no member who shall have spoken twice on the preceding day shall be permitted to again speak without leave of the House

Motions decided without debate

47— A motion to adjourn, to lay on the table and a call for the previous question, shall be decided without debate. All incidental questions of order, arising after a motion is made for either of the questions named in this rule, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Motions not to be renewed

48— A motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall not again be allowed on the same day and at the same stage of the bill or proposition

Motions— How stated.

49— When a motion is made it shall be stated by the Speaker, or read by the Clerk, previous to debate. If any member requires it, all motions, (except to adjourn, postpone, or commit) shall be reduced to writing. Any motion may be withdrawn by consent of the House,

before division or amendment.

Questions — How put.

50— All questions shall be put in this form: "Those who are of opinion (as the case may be) say Aye. Those of contrary opinion say No." In all doubtful cases any member may call for a division.

Ayes and Nays, When taken.

51— The yeas and nays shall not be ordered unless demanded by two members, except on the final passage of Bills, joint resolutions and resolutions making appropriations of money, in which case the yeas and nays shall be called without demand.

Members to vote unless excused.

52— Every member present when a question is put, when his name is called, shall vote unless the House shall, for special cause, excuse him, but it shall not be in order for a member to be excused after the House has commenced voting.

Division of a question

53— Any member may call for the division of a question, which shall be divided if it comprehend propositions in substance so distinct, that, one being taken away, a substantial proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall not preclude either an amendment or a motion to strike out and insert.

Committal of Papers.

54— Bills, reports and motions may be committed at the pleasure of the House

Filling Blanks

55— In filling blanks the largest sum and the longest time shall be first put.

The vote

56- In all cases where the House is equally divided the question shall be lost.

Reconsideration

57- When a motion or question shall have been once determined, either in the affirmative or negative, it shall always be in order for any member of the majority, or where the House is equally divided, for any member who voted in the negative, to move for a reconsideration thereof, on the same or the succeeding day. A motion to reconsider, being put and lost, shall not be renewed.

No one to remain by the Clerk's table

58- No member or other person shall visit or remain by the Clerk's table while the yeas and nays are being called

Call of the House

59- Any five members may make a call of the House and require absent members to be sent for, but a call of the House cannot be made after the voting has commenced.

60- On a call of the House being moved, the Speaker shall say: "It requiring five members to order a call of the House, those in favor of the call will rise;" and if five or more shall rise, the call shall be thereby ordered.

61- A call of the House being ordered, the Sergeant-at-Arms shall close the doors, and no member shall be allowed to leave the room.

62- The Clerk shall immediately call the roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are absent with leave, and of who are absent without leave.

The Clerk shall furnish the Sergeant-at-Arms with a list of those who are absent without leave, and the Sergeant-at-Arms shall forthwith proceed to find and bring in such absentees.

63- While the House is under a call no business shall be transacted except to receive and act upon the report of the Sergeant-at-Arms, and no other motions shall be in order, except to adjourn and a motion to suspend further proceedings under the call, which last motion shall be determined by yeas and nays and shall not be adopted unless a majority of all the members elect vote in favor thereof.

64- Upon the Sergeant-at-Arms making a report showing that all who were absent without leave (naming them) are present such report shall be entered on the journal and the call shall be at an end, and thereupon the door shall be opened and the business or motion pending at the time the call was made shall be proceeded with.

65- The Sergeant-at-Arms may make report of his proceedings at any time, which report may be accepted, and further proceedings under the call thereby dispensed with, but the motion to accept such report shall be determined by yeas and nays, and it shall not be adopted unless a majority of all the members elect shall vote in favor thereof. If such report be not accepted, the Sergeant-at-Arms shall proceed to a completion of his duties as required by rule 62.

Previous question

66- When any bill, memorial or resolution is under consideration, any member being in order and having the floor, may move the "previous question," but such motion shall not be deemed to be seconded unless five members concur therein.

67- The previous question being moved, the Speaker shall say: "It requiring five members to second

the motion for the previous question, those in favor of the motion will rise, and if five or more rise, the previous question shall be thereby seconded, and the question shall then be: "Shall the main question be now put?" which question shall be determined by yeas and nays. The main question being ordered to be now put, its effect shall be to put an end to all debate, and bring the to a direct vote upon the pending amendments and then upon the main question.

68- When, on taking the previous question, the House shall decide that the main question shall not now be put, the main question shall remain as the question before the House, in the same stage of proceedings as before the previous question was moved

69- On motion for the previous question, and prior to the ordering of the main question, one call of the House shall be in order, but after proceedings under such call shall have been once dispensed with, or after a majority shall have ordered the main question, no call shall be in order prior to the decision of such question.

Committee of the whole

70- The House may resolve itself itself into a committee of the whole by a majority of a quorum voting on motion of a member for that purpose

71- Every bill in committee of the whole shall be read and considered by sections unless the committee shall otherwise order. The body of the bill shall not be defaced or interlined, but all amendments agreed to by the committee shall be attached to the bill, noting the section line, and so reported to the House

Clerical errors may be corrected.

72- Mere clerical errors in a bill may be corrected by the chairman or clerk without treating them as amendments.

Amendments to Memorials and Reports

73- All amendments made to a memorial or report committed to the Committee of the whole shall be noted and reported as in the case of bills.

Rules in the Committee of the whole

74- The rules observed in the House shall govern so far as practicable the proceeding in the Committee of the whole, except that a member may speak more than twice on the same subject, and that a call for the yeas and nays, or for the previous question, cannot be made in Committee.

75- The Chairman of the Committee of the whole shall have the same power to preserve order and decorum as the Speaker of the House.

76- After the business upon which the House resolved itself into Committee of the whole shall be completed, the Committee, without motion (or at any time upon motion), shall rise and report.

Proceeding subsequent to Committee of the Whole

77- Whenever any bill or any memorial or joint resolution requiring the signature of the Governor shall have been reported to the House with amendment by any standing Committee, and subsequently considered by Committee of the whole, the action of the Committee of the whole, on every such amendment, shall be noted or recorded by the Chairman.

78- No amendment to any bill or any memorial or joint resolution requiring the signature of the Governor, shall have been made or considered in Committee of the whole, shall be read by the Speaker on resuming the Chair, unless required by one or more of the members, but the Speaker shall state what action has been

taken by each committee which has considered the same, or is thereon indorsed or noted, and the question shall first be put on every such amendment, and the same shall be disposed of in the same manner as if the amendment had been originally proposed in the House. The question shall first be put to the House by the Speaker upon the recommendation of the standing or select committee, upon all bills, memorials or joint resolutions read or laid by any such committee.

79- The final question before the third reading of every bill or other paper originating in the House, and requiring three readings previous to being passed, shall be: "Shall it be engrossed and read a third time?" And upon every such bill or paper originating in the Senate: "Shall it be read a third time?"

Engrossment of bills

80- Every House bill and resolution ordered to be engrossed and read a third time, shall be re-written in a plain hand, with all amendments, before being read a third time, except as provided for in Rule 21.

81- On the third reading of the bill or resolution, no amendment, except to fill blanks, shall be received, except by unanimous consent of the members present.

82- A bill or resolution may be recommitted at any time previous to its passage. If any amendments be reported upon such commitments the question for its engrossment and third reading may then be put.

83- Upon a third reading of a House bill the question shall be stated thus: "This bill having been read three several times, the question is: "Shall the bill pass?". Upon the third reading of the Senate bills the question shall be stated thus: "This ~~bill~~ having been read three several times, the

question is, "shall the bill be concurred in?"

84- Each bill which passes its third reading shall be certified by the Clerk and, by him, transmitted to the Senate. The day of transmission shall be entered on the bill books of the Clerk

Privileged Motions

85- A motion to adjourn shall always be in order, except when the House is voting, but this rule shall not authorize any member to move an adjournment when another member has the floor

86- Any motion or resolution relating to the organization of the House, or to any of its Officers, members or Committees, shall be privileged and need not lie over for consideration under rule 28.

Suspending and changing rules

87- No standing rule or order of the House shall be rescinded or changed, without one day's notice being given of the motion therefor, which motion shall embrace the proposed amendment, nor shall any rule be suspended nor the order of business changed except by a vote of at least two-thirds of the members present.

88- There shall be no smoking allowed upon the floor or in the galleries of the House, after it has been called to order by the Speaker, during it session,

89- The rules of Parliamentary Practice comprised in Jefferson's Manual shall govern the House in all cases in which they are applicable and in which they are not inconsistent with these rules and the orders of the House and the Joint rules and orders of the Senate and House.

Fourteenth Day

House of Representatives

Helena. Montana

December, 6. 1889.

House met pursuant to adjournment at 10. a. m.

Mr Speaker in the chair

Roll called - no quorum present

Bowers called to the chair

On motion of Loudey House took a recess for 15. minutes.

10 20 a.m.

House resumed

Mr Speaker in the chair

The absentees appearing in their seats a quorum was declard present

Journal of the thirteenth Day read and approved.

Motion of Toole, that when the House adjourn it be until Monday at 4. P.M. Adopted.

On motion of Breen, Loudey's resolution, special order of business for 10. a.m., was adopted unanimously.

On motion of Toole House took a recess until 2. P.M.

House resumed

Mr Speaker in the chair

Roll called - no quorum present

On motion of Rumsey House took a recess for 30 minutes.

3 30 P.M.

House resumed.

Mr Speaker in the chair

Same with Toole's motion House adjourned until monday at 4 P.M.

Chas. Good
Chief Clerk.

Seventeenth Day

House of Representatives
Helena, Montana
December 9th 1889

House met pursuant to adjournment at 4. P.M.

In the absence of the Speaker, House was called to order by the Chief Clerk

On motion of Poole Conley was selected to act as Speaker pro tem

Roll called - no quorum present

Absent Blakeley, Carney and Higgins

On motion of Pinsoneau, House adjourned until 10 a.m. tomorrow.

Chas. F. [illegible]
Chief Clerk

Eighteenth Day.

House of Representatives
Helena Montana
December 10th 1889.

House met pursuant to adjournment at 10. a.m.

Mr. Speaker pro-tem in the chair

Roll called – no quorum present

Absent. Blakely and Hughs

Prayer by the Chaplain

On motion of Whaley House took a recess for 15 minutes.

10 20 a.m.

House resumed

Mr. Speaker pro-tem, in the chair

On motion of Poole House took a recess until 4. P.M.

4. P.M.

House resumed

Mr. Speaker pro-tem. in the chair

on motion of Wallace House adjourned until 10. a.m. tomorrow.

Chief Clerk

Nineteenth Day

House of Representatives

Helena, Montana.

December 11th 1889.

House met pursuant to adjournment at 10. a. m.

Mr Speaker in the chair

Roll called - quorum present

Prayer by the Chaplain

Journal of the 14th, 17th and 18th days, read and approved

Penrose, Chairman of the Committee on Mileage

Offered the following:

Mr Speaker,

Your Committee on mileage report that they find the members of the House of Representatives of the First Legislative Assembly of the State of Montana, entitled to mileage for distances as follows:

Blakeley, E. C.	200.	Miles
Barrows. John R.	400	"
Beach Elizur	170	"
Breen Peter	54	"
Burns Alexander F.	14	"
Carney Patrick	250	"
Clarke. J. K.	180	"
Conley. Harry R.	—	
Courtney Thomas F.	180	"
Demitchfield. C. M.	214	"
Day. A. M.	180	"
Dissault. A. M.	180	"
Frank. H. L.	180	"
Gillig aus L. W.	180	"
Hardenbrook C. K.	162	"
Higgins Frank. J	270	"
Hogan Jos	180	"
Hollywood Frank	222	"
Hughs Sylvan	224	"
Hunton Robt.	140	"
McElwee D. F.	148	"
Penrose W. J.	180	"
Poole J. B.	120	"
Sahnidich L. F.	180	"
Toole Jno. K.	224	"
Tooley J. C.	80	"
Wallace Wm	—	

Whaley W. to. 64 miles √
Woodson J.A. 150 — — √

Respectfully submitted
W. J. Penrose
Chairman

On motion of Conley report of the Committee on mileage was adopted and Committee Continued

On motion of Foote House took a recess until 2. P.M.

2. P.M.

House resumed
Mr. Speaker in the chair
Roll called — Quorum present
The Speaker announced the following list of standing Committees:

Standing Committees

1 — Ways and Means
Conley, Critchfield and Foote

2 — Judiciary
Wallace, Barrows, and Twohy

3 — Appropriations
Frank, Beach and Hardenbrook

4 — Elections
Critchfield, Conley and Foote

5 — Agriculture, Manufactures and Stockgrowing
Beach, Dillingan and Carney

6 — Education and Labor
Bliss, Hardenbrook and Barrows

7 — Mines and Minerals
Penrose, Clark and Humber

8 — Towns, Counties and Highways
Humber, Twohy and Higgins

9- Engrossment
Day, McElwee and Whaley

10- Printing
Twohy, Hogan and Schmidtt

11- Incorporations
Whaley, Wallace and Penrose

12- Military Affairs
Burns, Hughs and Courtney

13- Revision
Barrows, Dusseault and Conley

14- Federal Relations
Hardenbrook Poole and Gilligan

15- Internal Improvements
Higgins, Crutchfield and Woodson

16- Enrollment
Pool, Courtney, and Hogan

17- Public Lands
Poole, Wallace and McElwee

18- Water Rights and Irrigation
Woodson, Hollywood and Carney

On motion of Mr Humber the Committee on Printing was instructed to supply the members of the House with printed cards of the standing Committees

On motion of Mr. Humber House adjourned until tomorrow at 10. a. m.

Chief Clerk

Fourtieth Day

House of Representatives

Helena Montana

December 12th 1889.

House met pursuant to adjournment at 10 a.m.

Mr Speaker in the chair

Roll called - quorum present

Prayer by the Chaplain

Committee on Ways and Means made the following report:

Mr Speaker

Your Committee on ways and Means respectfully report that they have appointed Miss Anna M. Noonan clerk of said Committee and that she has accepted the position

N P. Conley

Chairman

On motion of Penrose the report was received and adopted

On motion of Hogan House took a recess until 2. P.M.

2. P.M

House resumed

Mr Speaker in the chair

Roll called - quorum present

Absent - Boardman, Blair, Blake, Carey, Eaton, Goodman, Drumgold, Harlan, Harrington, Hostin, Higgins, Hoffman, Holter, Hoskey, Howey, Lochray, Loud, Mitchel, Moran, Newcomer, Norton, Phillips, Stebbins, Waite, Wing and Potter

Committee on supplies made the following report.

Mr Speaker.

Your Committee on supplies beg leave to report that they have received one hundred (100) copies of the rules of the House, from the Journal Publishing Co, and recommend to them for the same

E. Beach

Chairman

On motion of Poole the report was adopted and Committee continued

On motion of J. Conley House took a recess for 20 minutes

2.45 P. M

House assembled

Mr Speaker in the chair

On motion of Whaley House adjourned

until 10. AM. tomorrow

Chas. F. Pond

Chief Clerk

Twenty-First Day
House of Representatives
Helena, Montana
December 18th 1889

House met pursuant to adjournment at 10 a.m.
Mr Speaker in the chair
Roll called - no quorum present
Absent- Boardman, Blair, Blake, Carey, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Higgins, Hoffman, Holter, Horsky, Howey, Lakey, Lund, Mitchell, Moran, Newcomer, Norton, Phillips, Poole, Stebbins, Waite, Wing & Witter,
Prayer by the Chaplain
On motion of Silliman House took a recess for 30 minutes
10 45 a.m.
House resumed
Mr Speaker in the chair
On motion of County House took a recess until 2. P.m.

2. P.M.
House resumed
Mr Speaker in the chair
Roll called - quorum present
A communication was received from the Citizens of Madison County Montana and on motion of Hunter referred to the Committee on Elections
On motions of Frank House adjourned until 10 a.m. Monday

Thos. B. Ford
Chief Clerk

Twenty-Fourth Day

House of Representatives

Helena. Montana

December 16th 1889

House reassembled pursuant to adjournment at 10. a.m.

Mr Speaker in the Chair

Roll called – no quorum present

Absent – Boardman, Blair, Blake, Burns, Carey, Centerfield, Eaton, Lindsay, Greenough, Harlan, Harrington, Martin, Hoffman, Holter, Hershey, Haire, Lockhay, Loud, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Waite, Wing and, Witter,

Prayer by the Chaplain

On motion of County House took a recess for 20 minutes.

11 25 a. m.

House resumed

Mr Speaker in the chair

Roll called – quorum present

Journal of the 20th and 21st days read and and approved

County introduced the following:

House of Representatives

First Legislative Assembly of

The State of Montana

Helena. Montana

December 16. 1889

Whereas this House of Representatives of the State of Montana, holding its Sessions in the Hall of the House of Representatives in the Court House at Helena Montana, has been duly organized since November 23d 1889, and Whereas certain Members elect of this body: Viz: Robt. J. Wing. & Aaron E. Witter of Beaverhead County, E. D. Martin & Chas Lockhay of Cascade County. J. M. Boardman & Saml Mitchell of Choteau County. Hugh. C. Moran. & Chas, F. Loud. of Lewis & Clark County. Martin Newcomer of Dawson County, John M. Blair of Deer Lodge County, John D. Waite of Fergus County, David A. Carey, Anton M. Holter John Hershey and R. H. Howey of Lewis & Clarke County. Fayette Harrington of Madison County. E. H. Broadwater of Gallatin County. J. L. Greenough. J. J. Phillips W. B. Harlan. and D. S. Blake of Missoula County. E. H. Stebbins. & Chas. H. Eaton of Park County.

F. H. Hall ~~Hennessy~~ of Silver Bow County, and Wm H. Norton of Gallatin County, have wilfully absented themselves and still so absent themselves and refuse to qualify and assume their seats in this body:

Now therefore be it resolved that each of said absentees be notified to appear within the body of this House forthwith and then and there qualify as a member thereof and in event of his refusal to do so that this House will take action upon his refusal

Resolved further that notice of this order of the House be given by the Sergeant-at-Arms delivering a copy hereof, signed by the Speaker and attested by the Chief Clerk, to each of said absentees without delay.

C. P. Blakeley
Speaker

Attest
Chas. J. Pond
Chief Clerk

On motion of Courtney, the resolution was adopted, and the Sergeant-at-Arms instructed to serve a copy on each of the Gentlemen therein named

On motion of Poole the House took a recess until 2. P. M.

2. P. M.
House resumed
Mr Speaker in the Chair
Roll called — no quorum present
Absent — Boardman, Blair, Blake, Carey, Caruthers, Eaton, Freeman, Fraunagh, Harlan, Harrington, Hastie, Hoffman, Holter, Hooks, Howey, Lockhart, Loud, Mitchell, Moran, Newcomer, Norton, Phillips, Poole, Stebbins, Waite, Young & Witten

On motion of Carey took a recess for 20 minutes.

2 25
House resumed
Mr Speaker in the chair
Roll called — quorum present

On motion of Poole House adjourned until 10. a. m. tomorrow.

Chas. J. Pond
Chief Clerk

Twenty-Fifth Day

House of Representatives
Helena, Montana
December 17. 1889.

House met pursuant to adjournment at 10 a.m.
Mr Speaker in the chair
Roll called ... quorum present
Absent, Boardman, Blair, Blake, Berry, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Horsky, Howey, Lochray, Lovell, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Waite, Wing and Witter
Prayer by the Chaplain
The following Message was received from the Governor:

To the President of the Senate and the Speaker of the House of Representatives

Constitutional government has been conferred on us and for the first time we undertake the management and control of our own affairs. The responsibility rests with us. It is in our power to make this the great state of the Union or to hamper and dwarf it for all time. In view of the difficulties which have attended the convening of the first Legislative Assembly under the State constitution, I yield the opportunity which precedent has established to indulge in the patriotic sentiments, which such an occasion under different circumstances, might inspire.

I am content to congratulate you and the country upon the acquisition of another commonwealth of such magnificent proportions and great possibilities. The Paradise of wealth with which prodigal nature has endowed her and the intelligence and aspirations of her people warrants my prediction that financially and politically Montana will be a column of strength in the National fabric, supporting with sturdy might her share of the public burdens and forming an element of national greatness which can but redound to the honor and glory of the Republic.

We were uniformly prosperous as a Territory and starting out under such favorable auspices our progress ought to be phenomenal. Having full confidence in your ability to provide the necessary machinery to put the State government in operation, and being fully assured of your patriotic desire in that respect, I promise you my active and cordial co-operation to that end

In obedience to a constitutional provision, I now lay before you such information of the State as I possess, and certain recommendations for your consideration

Sec 1. Financial condition

After the payment of all outstanding claims and indebtedness of every character, I think the State will on January 1st ensuing, have a small amount, not exceeding Five Thousand Dollars, in the Treasury. The exact financial condition together with an estimate of the amount necessary to defray all expenses for the ensuing two years will be presented hereafter ...

Legislation required by the Constitution

Sec. 2. I call your attention generally to the following sections of the Constitution which require Legislative action to give them effect:

Sec 15, Art. 8, Sec. 23, Art. 8, Sections, 4, 5, 28, 30, 42 and 43 Art. 5, Sec. 2 Art. 2, Sections, 2, 8, 9, 17, and 20 Art 7. Sections 4, 9, 19 and 21 Art. 8. Sections 1 and 8 Art 10, Sections 1, 4, 6, 10 and 11 Art. 11, Sections 1, 18 and 15 Art. 12, Sections 5 and 6 Art. 13, Sections 2, 8 and 4 Art. 14, Sections 4, 7 and 20 Art 15, Sections 1 and 3 Art 17, Sec. 1 Art 18, Sections 3, 4 and 7 Art. 19.

The legislation suggested by many of these citations are of paramount importance and without which the wheels of government will be clogged. ...

The Penitentiary

Sec. 3.

The Penitentiary formerly belonging to and under the control of the United States, has now become

the property of the State. The same with the lands & contracts thereunto were granted to the State by the act providing for our admission in to the Union. Under our territorial organization the control and management of this institution was under the exclusive jurisdiction of the United States with whom the territory contracted for the maintainance and support of its prisoners.

In providing for the change from territorial to State government no provision was made to cover the period between the date of admission and the time when the Legislature should provide for the proper management of the same. Temporarily the United States Marshal is in charge & under the contract between the territory and the United States. It is therefore important that you should make early provision for its government and maintainance. I therefore recommend that a warden be provided who may be authorized to employ such guards and assistants as you may deem proper, who shall have the control and management of the Penitentiary under proper restrictions subject to the supervision of the board of State Prison Commissioners. On the 10th day of October A. D. 1889 the United States Marshal reported to Governor B. F. White, late governor of Montana Territory, that there were confined in the Penitentiary one hundred and seventy three convicts, and that that number would be greatly increased rather than diminished in the future. The capacity of the Penitentiary is only for one hundred and forty persons. It is therefore apparent that the present overcrowded condition of this institution is a constant menace to the security of the persons confined therein, as well as dangerous from a sanitary point of view. The present United States Marshal whose facilities for observation have been superior to mine, and whose judgment is worthy of great consideration, has

a communication to Governor White under date of October 10th. 1889, says:

"In order to be of some use to you and to the Legislature, I would most respectfully suggest as absolute necessities;

The construction of a new cell house to contain at least forty eight double cells, in size, eight feet by ten: a suitable kitchen with dining room for officers and one for prisoners: A Warden's house, A system of steam heat, A system of sewerage and other minor improvements.

Around the whole, enclosing so much as deemed proper of the twenty acres of land granted by the United States, should be built a strong suitable prison wall.

I believe the whole of this can be done out of an appropriation of forty thousand dollars, and I know of no investment the territory can make to its better advantage.

Should matters remain in the condition they are, the force of guards will soon have to be largely increased to insure the custody of the prisoners. There is now paid out for guard hire, about thirteen hundred dollars per month, the interest on forty thousand dollars would be about three hundred dollars per month. Every additional guard costs at the government rate of pay for salary and board about one hundred and five dollars per month; there ought to be added at least two more guards, and had the United States retained control of the penitentiary, my request therefor would have been granted.

There are about twenty prisoners confined in an improvised log jail building situated within the present yard, and penitentiary as it is, they and many others to come, must be confined this way until the Legislature meets the exigency of the situation. Unless prompt and efficient aid is given to the State management of the Penitentiary a wholesale delivery is not among the grave improbabilities. The shot gun and rifle is just now the most necessary aux-

illary in the detention of bad characters in the Montana Penitentiary.!

Without endorsing these recommendations I commit the subject to your careful consideration and investigation, with the hope that speedy and proper legislation may be had on this subject

Insane

Sec. 4. The insane of the State are supported under a contract between the Territory of Montana and Doctors Mitchell and Hunsing-brook at Warm Springs, Deer Lodge County, at $8 per week; making an expense to the State of about seventy five thousand dollars per annum. The number is increasing rapidly, the last report showing 184 patients to maintained at public expense. The maintainance of the insane and the penitentiary will form the largest items of expense under our State Government. The proper treatment of those unfortunates committed to the asylum at the least possible expense to the State, calls for the exercise of your best judgment. I am not prepared at this time to say that any new arrangement would be advantageous to the State or the persons confined therein, but in view of the great and growing expense in that behalf, I urge the most thorough investigation of the subject.

State Militia

Sec. 5.

Section 3 Article 14 of the Constitution makes it incumbent upon the State to maintain the Militia by appropriations from the State Treasury. In view of this provision and the great drain which this organization is making upon the treasury, it becomes a question of the gravest concern how to maintain the Militia so as to preserve its efficiency in case of danger, and at the same time reduce the expense to the minimum. I submit that all sala-

-ies for arms and other extraordinary ex-
-penses must be materially reduced if not
entirely done away with. The annual en-
-campment now provided for by law may
be beneficial as a matter of discipline to
Officers and men, but I cannot believe that
the advantage is at all commensurate with
the expense to the people. It is obvious that
with the new burdens of expense which
a state government imposes and which
are absolutely necessary to the administration
of its affairs, the most rigid economy must
be practised in every department of Govern-
-ment.

The expense of the State Militia or National
Guard as far as can be ascertained for
the past year, including the building
of an arsenal, will amount to $48.000, an
increase over last year of about $32.000 —

I commend this subject to your careful
consideration, and earnestly hope that you
may find it practicable to materially reduce
the expense of this organization without
impairing its usefulness. This it seems
to me may be effected in the manner
above suggested, and by repealing the law providing
for annual encampments.

State Institutions and Public Buildings

SEC. 6.

With the exception of the penitentiary at
Deer Lodge and the Arsenal now in course
of construction at the seat of government,
the State has no institutions or public
buildings. Provision, however, is made by
Sec. 1 of Art. 10 of the Constitution for the estab-
-lishment and support by the State of educational,
reformatory and penal institutions, and there
for the benefit of the Insane, Blind, Deaf and
Mute, Soldiers home, and such other institutions
as the public good may require.

While the establishment of these
institutions is made mandatory by the
Constitution, no time is fixed when
legislative actions shall be taken.

In view of the increase of expense to the people consequent upon a change from Territorial to State government and the limitation placed by the constitution upon the public expenditures, I hope no effort will be made at this session to provide for the construction of such buildings.

It might not be unwise, however, if the location of these institutions should be the subject of early consideration and settlement. The longer that is delayed the greater will be the struggle between aspiring sections of the State for recognition in that behalf and of funding such contention the interests of good legislation may be subordinate, if not wholly ignored.

In this connection it is proper to call your attention to the fact that legislation will be required to give force and effect to Sec 2 of Art. 10 of the constitution providing for the permanent location of the seat of government, the manner of submission, & the method of canvassing the votes, and the details generally should be provided for

Fees of County Officers.

Sec. 7.

Your attention is directed to the present fee bill of the respective County Officers. The complaint is universal that the fees under the Territorial laws and which are now injected into the State statutes are unreasonable and excessive. While all Officers should have fair and just compensation and ought to be consulted in the establishment of fees, the citizen ought not to be compelled to surrender entirely to their demands.

I recommend therefore a complete revision and adjustment of the present law fixing the fees of County Officers so as to make them approximately commensurate with the services rendered, and that all fees when collected be paid into the respective county treasuries and that in lieu thereof salaries be paid to such Officers.

State Officers

Sec. 8.

Such of the State Officers as are required to reside at the Seat of government are temporarily quartered at the Court House where reasonably good accommodations are provided for most of them. No provision of the law exists by which any officer is permitted to contract for the renting or leasing of offices. The County Commissioners of Lewis and Clarke County, relying upon the State to ratify the action of the occupants, have furnished and delivered the possession of offices to the following persons; the Governor, State Auditor, Chief Justice, State Treasurer, Secretary of State, and Attorney General.

Many of the offices are without furniture and others are inadequately supplied. I shall have occasion to refer to these items in an estimate of the expenses of the government for the ensuing two years which will be hereafter furnished. It becomes necessary that provision should be made for the continued occupancy of the present or other quarters of the State Officers, and that the necessary contracts should be authorized and made to that end

Public Lands

Sec. 9.

The act providing for our admission in to the Union granted to the State public lands which if properly selected, managed and controlled, will place Montana prepared to no State in the Union in respect to educational and other institutions for which the grant was intended. It is therefore of the highest concern to the people that speedy legislative action should be had, providing for the early selection of these lands.

Every day that passes lessens the value of the grant by affording opportunity for individuals to initiate settlements and rights under the land laws of the United States which will be superior to ours until the selections are made

I call your attention to Sec. 10 of the Enabling act referred to, and other sections of the same act relating to the same subject. Sec. 1 Art. 18 of the Constitution seem to contemplate the creation of a Board of Land Commissioners whose duty it shall be to classify all public lands. It appears to me that this board should be charged with the duty of making the selections provided for in Sec. 10 of the Enabling Act above referred to. I may have occasion to make this matter the subject of a separate communication hereafter, but for the present make no other recommendations concerning the same; except that in any provision you may make for the sale or leasing of public lands belonging to the State, preference should be given to actual settlers, who in good faith located upon School Sections by mistake or who believing such preference would be given, have made valuable improvements upon the same.

Those two classes of persons should be protected; the former for the reason that the failure of the general government to extend the public surveys, made it impossible in many cases to distinguish a school section from any other section, and the latter for the reason that the Constitution adopted and ratified by the people in 1884, contained a provision similar to the recommendation above made and upon which numerous persons have relied and made settlements accordingly.

If, as it seems probable, the Federal government shall ultimately aid in the establishment of a system of irrigation and the storage of water by means of reservoirs, no one can approximate the value of these lands to the State in the future. I make this observation to guard you against the demands of those, who eager to monopolize our lands, will doubtless be on hand to urge a hasty and inconsiderate disposition thereof.

Sale, Rental and Distribution of Water.

Sec. 10.

One of the most salutary provisions in our declaration of rights, is that which makes all the water now appropriated or which may hereafter appropriated for sale, rental, distribution or other beneficial purposes, a public use. Under this provision I assume that you are invested with ample authority to provide by appropriate legislation, against excessive and extortionate charges by individuals, companies or corporations, engaged in the sale, rental or distribution of water, and to prevent the unjust discrimination in the disposition of the same to the public. In my opinion the right of the State to regulate this subject should be asserted and maintained. I accordingly invite your attention to this matter as one worthy of your early consideration.

Irrigation

Sec. 11.

Every person who is conversant with our climate and the character of our soil, must know that great possibilities await a general and comprehensive system of irrigation of our lands. I do not think the public is interested in holding a vast empire as a mere cattle range for the owners of large herds of stock. Upon the contrary, it will be a glad day for Montana when these immense herds are broken up and the stock interests of Montana shall be divided among the ranchmen in small lots. This will insure their proper feeding and shelter, and furnish employment to large numbers of persons who must also be provided with the necessities of life, all of which will be conducive of a more general prosperity to the State. I therefore suggest that you memorialize Congress to give all possible aid to the scheme of the Director of the Geological Survey, looking to the reclamation

your desert lands by a system of governmental irrigation by means of reservoirs, dams, etc.

Corporations

Sec. 12.

The organization of corporations to carry on large enterprises has become a necessity in this and other States, the development of our resources, and the carrying forward of projects for the public good in many instances are of such magnitude and require an outlay of such large amounts of money that private capital cannot be induced to embark in them. The law should provide for the incorporation of such, but I condemn as bad legislation the existing statute, inherited from the Territory, which permits every character of business and industry to become the subject of an incorporation, whereby the liability of the stockholder is limited. No one but a creditor is entitled to see the books of the corporation, and hence a person dealing with such concern in the first instance, is at a disadvantage. I recommend the modification of existing laws so that corporations may be formed for the following and such other purposes as may be considered proper and which shall be specifically provided for, and no other:

1st The support of public worship;

2 — The support of any benevolent, charitable, educational or missionary undertaking;

3 — The support of any literary, or scientific undertaking: the maintainance of a library, or the promotion of painting, music or other fine arts;

4 — The encouragement of agriculture and horticulture;

5 — The maintainance of public parks, and of facilities for skating and other innocent sports;

6 — The maintainance of a club for social enjoyment;

7– The maintainance of a public and private cemetry;
8– The prevention and punishment of theft or wilful injury to property, and the insurance against such risks;
9– The insurance of human life, and dealing in annuities;
10– The insurance of human beings against sickness or personal injuries;
11– The insurance of lives of domestic animals;
12– The insurance of property against marine risks;
13– The insurance of property against loss or injury by fire; or by any risk of inland transportation;
14– The transaction of a banking business;
15– The construction and maintainance of a railway and of a telegraph line in connection therewith;
16– The construction and maintainance of any other species of roads, and of bridges in connection therewith;
17– The construction and maintainance of a bridge;
18– The contruction and maintainance of a telegraph line;
19– The establishment and maintainance of a stage line;
20– The establishment and maintainance of a ferry;
21– The building and navigation of steam boats, and carriage of persons and property thereon;
22– The supply of water to the public;
23– The manufacture and supply of gas, or the supply of light or heat to the public by other means;
24– The transaction of any manufacturing, mining mechanical or chemical business;
25– The transaction of a printing and publishing business;
26– The establishment and maintainance of an hotel;
27– The erection of buildings, and the accumulation and loan of funds for the purchase of real property;
28– The improvement of the breed of domestic animals, by importation, sale or otherwise;
29– The construction of canals and reservoirs for conveying and storing water and the boring of artesian wells.

The Supreme Court

Sec. 13.

Under the provision of Sec. 3 Art. 8. of the Constitution the Supreme Court is empowered to summon a jury when required to determine an issue of fact. It will be necessary for the Legislature to prescribe by law the manner in which such jury shall be summoned. There is no Statute which governs this contingency.

Under the provisions of Sec. 4 of the same Article, the Legislative Assembly should fix the time for holding the terms of the Supreme Court, or confer authority upon the justices to regulate them. I think the number of terms should be increased to four, and that the Assembly should designate them. This legislation would secure a speedy hearing of appeals, and render certain the day when they could be heard.

Clerk of the Supreme Court.

Sec. 14.

The Constitution has deemed the Office of Clerk of the Supreme Court of such importance, that it has required him to be elected by the votes of the people of the State. The fees allowed for his services should be revised, and when collected paid into the Treasury. This Officer should receive a salary.

Code Commission

Sec. 15.

The important work of preparing the four codes authorized by the Act of March 14, 1889, was committed to a commission which was required to report three of the codes to the next ensuing Legislature. The commission has been industriously engaged in the work since the adoption of the State Constitution, and has completed and filed with the Secretary of State the "civil code." I am in receipt of a communication from the Chairman of the Commission mo-

date of November, 15th, 1889, from which the following extract is made:

"The commission found it impossible to commence the work contemplated by the act creating it, until after the formation of the State Constitution which was completed on the 17th. day of August, 1889. Soon after that day the Commission commenced its labors and has worked continuously ever since, that time with the following result; We have completed and filed with the Secretary of State "The Civil Code" which occupied all of our time every day for nearly three months. We find the work of such a character that it cannot be hurried and well done. The code already completed might be improved if we had more time to bestow upon it, but the act creating the Commission requires three of the Codes to be submitted to the next Legislature. Probably it was in the contemplation of the Legislature that authorized the creation of the Code Commission that the next Legislature would not meet for two years, thus giving the Commission two years to perform its labors. At any rate we find it impossible to complete three of the Codes in time to submit to the Legislature which is called to meet on Nov. 25th 1889. It appears to me that the four Codes authorized by the act aforesaid, should all be submitted to the Legislature at the same time. Necessarily each of the Codes contains sections and provisions that refer to each other, and unless all of the Codes go into effect at the same time, many of the sections and provisions will be inoperative and void.

The Constitution has not only provided an entirely new system of courts for civil business, but has made a radical change in the manner of prosecuting criminal cases, and the Commission finds that much time and labor will be required to formulate the necessary statutes by which

changes made by the constitution can be put in operation and carried into effect.

We therefore suggest that the commission be given further time in which to complete its work."

While it is desirable that this work shall be completed at the earliest practicable time, every consideration of public policy dictates that sufficient time should be given to insure such thoroughness as will be a guarantee that the work when completed will be well done. I accordingly concur in the suggestion of the Chairman of the Code commission above referred to, and recommend that such further time be given to report, as may be deemed necessary.

Labor

Sec. 5.

Provision is made in the Constitution for a bureau of Labor and Industry, to be located at the Capital, and to be under the control of a Commissioner to be appointed by the Governor and to confirmation by the Senate. I regard the creating of this office as of the greatest importance to the State. It will be the medium through which can be collected and preserved authentic statistics and information generally of great value in the adjustment and direction of future legislation. While our population is small and our industries comparatively few, the salary should be moderate.

Public Examiner

Sec. 17.

Section 8 of Article 7 of the Constitution makes it your duty to provide for a State Examiner and in addition to the duties specifically enjoined upon that official by the Constitution, he is required to perform such other duties as the Legislature may prescribe. His compensation should be fixed by law.

Board of Pardons

Sec. 18

The Constitution has provided for a Board of Pardons to consist of the Governor, Secretary of State and Attorney General. Before the power can be exercised, the Legislative Assembly must provide the time and place of meeting of the board, and regulate generally its procedure.

Several applications were pending at the time I qualified as Governor, and several have been filed since that time. I have directed your attention specially to this subject with the hope that appropriate legislation may be speedily enacted.

Homestead and Exemptions

Sec. 19.

Homestead and Exemption laws are the outgrowth of our civilization, and in all enlightened communities, there is a universal consensus of sentiment in favor of making them broad and liberal. Society owes something to the wife and children, and the creditor who trusts the reckless and improvident, ought not to be permitted to pursue the former to destitution. I therefore recommend that in obedience to the Constitution, liberal homestead and exemption laws be enacted.

Registration.

Sec. 20.

The Constitution gives the Legislature power to enact suitable registration laws.

The schedule annexed to the Constitution provides for continuing in force all laws of the territory not inconsistent with the constitution, or the constitution and laws of the United States. By this the registration law enacted by the last Territorial Legislature becomes a part of our State Statutes.

While the Legislature ought to throw around the ballot every safeguard against fraud and repeating, and a proper registration law is conducive to this end, the present system

overshoots the mark and disfranchises many good citizens of this State whose votes are entitled to be cast and counted.

In my opinion no registration should be required as a condition precedent to voting in remote and sparsely settled communities. The facilities for transportation are inadequate in such sections of the country and those offered are expensive and often beyond the means of voters. Mountain ranges are sometimes required to be crossed and the distance required to be travelled has been shown to be in some instances as much as a hundred miles, and not infrequently from twelve to twenty miles. The result of this is that the ranchmen, the stockholders and the prospectors, who form a large per cent. of our population, and who are generally independent and unable to bear the burden of such an expense and loss of time as the present system necessarily entails, are compelled to remain at home, and are thereby disfranchised on election day. To obviate this wrong done to the citizen, I recommend that the present registration law be so amended that registration shall not be required except in incorporated cities & towns having a given population. It is in the centres of population where lawbreakers and malefactors congregate and plotting and fraud are practiced, and not in remote districts where every man knows his neighbor and a stranger is at once observed. I believe that it is an undue and unnecessary burden on the citizen to require him to register every time there is a general election. Having once registered ought to be sufficient for at least six years.

I therefore recommend such modification of existing laws as will remedy this evil.

Purity of the Ballot

Sec. 21.

The last Territorial Legislature inaugurated a ballot reform that is worthy of note. While the Australian system of voting as a whole does not come up to public expectation, it is nevertheless a departure in the right direction, and its general acceptance by the people with some modifications, in my opinion is assured. There should be no abatement of public interest in legislation designed to secure and perpetuate the purity of the ballot. The present law would be just as effective as it was designed to be, if instead of printing the names of all of the candidates on one ticket, their names should be on separate tickets representing the party whose political principles the avowed, and which might be taken into the voting place by the voter. I recommend this modification in the law. The present system is tantamount to an educational qualification on the one hand, or a complete surrender upon the other to judges of election, who in many cases are incompetent and in some cases venal. The time is too short to point out the many imperfections of a law which was well intended, but which the most casual observer in the light of observation and actual experience, has been demonstrated to be very crude. If this system can be simplified and at the same time preserve its essential qualities, in my opinion, it will popularize politics and in the end secure the most perfect reflection of the popular will of any system ever inaugurated. It stimulates courage in the defendant to vote according to his conscientious convictions, and above all it strikes savagely at the method of machine politics and promises its complete annihilation. In other words, simplified and properly guarded, it secures to the voter the largest freedom of thought, independence

of action and exercise of judgment
of any system which has ever been obtained
to my knowledge. If our institutions are
to endure and the honor, integrity and
prosperity of the State are to continue to be
the hopeful anchor of the citizen, the voice
of the people expressed at the polls with-
out hinderance or intimidation must be
sedulously guarded and maintained
at all hazards. The duties of the officers
charged with the responsibility of declar-
ing the result of an election should be
made to exhibit and the punishment
for misconduct made so severe that the
temptation for venal treachery at vital
points will be forever removed. I call your
attention to the unusual and unnecessary
expense in the matter of printing
which the present election law entails
upon the people. It should be framed
to meet only necessary and proper
expenses.

Constitutional Amendment

Sec 22

Conscious of the fact that the Constitution-
al Convention which formulated and adopted
our Constitution committed a grievous
mistake in providing for the apportion-
ment and representation of Senators, by
which legislation, the only just basis
of representation under our form
of government was wholly ignored,
I call upon the Legislature Assembly at
the first opportunity to provide for the
early submission of a constitutional a-
mendment whereby this inequality
may be speedily corrected.

Indian Reservations

Sec. 23

The large indian reservations within
our borders which were set aside by the
general government, embrace some of
our best agricultural lands, and are

far in excess of the requirements of the Indians, and who no longer able or compelled to live by the chase, and who are no longer able or compelled to live by the chase, but in every instance are the recipients of bounties from the government. The buffalo and wild game which once abounded accross the these great reservations are practically extinct, and with their departure disappeared the only reason for the maintainance of large areas of land for the occupancy of the Indians.

I therefore hope that you will memorialize Congress to compel a speedy selection and acceptance of these lands by individual members of Indian tribes, and for an early restoration of the remainder to the public domain.

Expenses of Constitutional Convention

Sec. 24.

The twenty thousand dollars appropriated by Congress to defray the expenses of holding the late Constitutional Convention, was found to be inadequate for that purpose.

Additional clerk hire and other officers, including a stenographer, and a stenographic report of the proceedings of the convention, was by resolution of the Convention, declared to be necessary and proper for the convenient and orderly dispatch of its business. To cover these extra expenses, the convention adopted an ordinance appropriating the following sums for the following purposes respectively, and declared the same to be charged against the State of Montana.

The item for the stenographic report is an approximation but of course is capable of being rendered certain when the report is filed.

John Trimble,	Clerk	$220.00
B. L. Garrett	"	215.—
John McKay	"	220.—

Lee Swords,	clerk	$210-00
Edward Kerr,	"	210—
Henry Bernard,	"	215—
Miss Jennie Merriman,	"	160—
William Taylor,	"	56—
William Dreh,	asst. Sergt. Arms	175—
Morris Laughorne,	Page	172—
Cornelius Hedges,	"	172—
Wm D. Taylor,	"	172—

Henry Bernard, for superintending the Printing of the Constitution and Typewriting $100—

Lee Swords, for acting as clerk of the Committee on address, 25—

G.P. County, Stenographer, 675—

" " " Transcript of proceedings and debates of Constitutional Convention (estimate) 3500—

Printing 20,000 copies of the Constitution (" ") 2100—

Total - $8606.00

I therefore recommend that the same be paid by the State as it intended by its Enabling Act, to cover all expenses of the Convention. Inasmuch as this Ordinance was not submitted to the people for ratification and by them ratified, Legislation is required to give it effect.

The Court in Silver Bow County

Dec. 25.

The most unseemly condition of affairs exists in Silver Bow County. Two persons are assuming to act as Judges of the District Court in that County. One has behind him the decision of a Court of competent jurisdiction establishing his right to the office, the other has the certificate of the late Governor of the Territory.

Pending this controversy litigants are without the tribunals for the settlement of their grievances, the estates of deceased persons are jeapordized, business generally is in a state of suspended animation and the lawyers are brought into contempt. The case in which the rights

of the respective claimants are involved is now on appeal to the Supreme Court it having been decided that no stay of proceedings was allowed. From what has been said heretofore you will observe that I assume that legislation is required fixing the terms of the Supreme Court before that case can be ultimately disposed of. This situation of affairs is of serious concern to the citizens of Silver Bow County in particular and to the people of the entire State in general, and I may add that it is, or it ought to be, humiliating to the pride of every citizen of this State. I recommend that provision be made for holding a term of the Supreme Court at the earliest practicable time in order that this matter may be speedily and definitely determined

The power committed to your hands involves a sacred trust. The manner in which it is exercised will invite public approval or condemnation. At no time since our Territorial organization has there been such a large number of citizens who vote independently of past party affiliations. The judgement of these is stern and severe, a wise exercise therefore of this power by the Executive and Legislative branches of the government will invite public confidence, and furnish cause for congratulation upon our assumption of the new and well fitting dignity of Statehood. Whenever, for supposed political advantage, the honor, the welfare and the glory of the State is prostituted to partisan ends the inevitable penalty will be destruction of popular confidence and discredit at the polls.

Dual House of Representatives

Two Bodies are now sitting, each claiming to be the legal House of Representatives; one assembled is sitting in the place designated by the executive for that purpose, the other assembled in a place designated by the State Auditor, and is now sitting in another place of its own choosing.

This condition of affairs has prevailed for more than three weeks. It was born of impulse; passion has had time to cool and returning reason ought to assert itself. It is high time that personal ambitions should be subordinated to patriotism and the wheels of government be permitted to roll. It is to be regretted that the body wrongfully assuming to be the House of Representatives and who met in the place designated by the Auditor misinterpreted the proclamation of the Executive as well as the letter of instructions to Captain Smith, as claimed by the report adopted and promulgated by its committee.

Fully appreciating the wise distinction between the Executive and the Legislative departments of the government and the independence of each as contemplated by the Constitution, and desiring to be fairly considered by my countrymen honor bids me forget pride and admonishes me not to conclude this message without putting on perpetual record a solemn and public refutation of the charge, that the Governor by his proclamation or otherwise at the time it was issued or at any other time, ever intended to interfere with the right of any persons claiming to be a member of the House of Representatives to his seat, or that it was the intention of the Governor to conceal the said instructions to the said John Smith until after the temporary organization of the House of Representatives and by virtue of his control of the room in which the people's Representatives were to

assemble to dictate who should enter therein. While the constitution provides that the supreme executive power of the State shall be vested vested in the Governor who shall see that the laws are faithfully executed, no authority was ever assumed except to "declare the law" in the hope that those persons who had the proper certificates of election would advise those who did not to refrain from participation in the organization of the House. The facts disclosed in the proclamation justified the Executive at that time in the hope that such a course would be pursued, but no intimation was ever given that force would be employed to that end.

In the light of the fact it is possible that the language of the proclamation may have led some honest men to believe that the Executive was wrongfully encroaching upon the Legislative Branch of the government but conscious of the fact that no such purpose was intended I call upon those recalcitrant members who claim to have been misled by the Governor to stand not upon a matter of punctilio in the pressure of such times seeking change to the State but to join with their colleagues in the translation of the public business. Of course there can be but one House of Representatives, no legislation can be had until that point is settled and acquiesced in by the Senate and Executive. Let us hope that your wisdom may provide a speedy and satisfactory solution of the pending difficulties. Every consideration demands an amicable adjustment, if such a thing is possible, and I earnestly hope for such a result. But as important as this session has been shown to be it is better that it should lapse and all legislation fail than that the principles upon which our government is founded should be treated as a mere commodity

to be exchanged, additions to promote the aspirations of men for Light.

I therefore hope that in all of your negotiations looking to the settlement of this perplexing question you will have an "eye single and a heart devoted heart" for what, in your best judgment, you consider to be the true interests of your country. When this is done and efforts to serve the State wisely and well will be crowned with success; the burthens of of taxations will, let us hope, be mitigated; justice will be peacefully enthroned in the temple now claimed by contending Judges; the fruition of our hope of State-hood will, in a measure, be enjoyed and government will be felt, if at all, most in its benefits and least in its restraints.

Jos. K. Toole
Governor

Executive Office
Helena
Montana
December 17th 1889.

On motion of Wallace the Message was received and referred to a select committee appointed by the chair consisting of Wallace, Toole, and Breen to refer to appropriate standing committees of the House the several sections of the Governors Message.

On motion of Toole House took a recess until 2. P. M.

2. P. M.
House resumed.
Mr Speaker in the chair
Roll called - quorum present
Absent- Boardman, Blair Blake, Carey, Eaton Dunham, Dranaugh, Harlan, Hamingtow. Hartin, Hoffman, Holter Hosley, Howey, Lochray, Lund, Mitchell, Moran, Newcomer Norton, Phillips Stebbins Waite, Wing and Witter.

On motion of Conly House took a recess for 15 minutes.

2 25

House resumed
Mr Speaker in the chair
The Select Committee reported as follows:

Mr Speaker:

Your select committee appointed to refer to Appropriate Standing Committees of the House, the several sections of the Governors Message, & leave to submit the following report. We recommend the be referred as follows;

"Section 1. - financial condition.
To Committee on "Ways and Means."
Section. 2 - subjects of Constitutional Legislation,
To "Judiciary Committee."
Sections 3 & 4. - Penitentiary and insane.
To Internal Improvement Committee.
Section. 5 — State Militia
To "Committee on Military Affairs.
Section. 6 — State institutions and Public buildings.
To Internal Improvement Committee
Section. 7 — fees of county Officers.
To Committee on "Towns, Counties and Highways"
Section. 8 — State Offices
To Committee on "Ways and Means."
Section. 9 — Public lands
To "Committee on Public Lands"
Section. 10 — Sale, rental and distribution of water.
To Committee on Irrigation and Water rights.
Section. 11 — Irrigation
To Committee on Irrigation and Water rights.
Section. 12 — Corporations
To Committee on Incorporations
Sections. 13 and 14. Supreme Court, and Clerk of Supreme Court,
To Committee on Judiciary
Section. 15 — Code Commission
To Committee on Judiciary
Section. 16 — Labor
To Committee on Education and Labor
Section. 17 — Public Examiner
To Committee on Ways and Means
Section. 18 — Board of Pardons
To Committee on Judiciary
Section. 19 — Homestead and Exemptions
To Committee on Manufactures, Agriculture and Stock growing

Section 20 – Registration
To Committee on Elections
Section 21 – Purity of the Ballot
To Committee on Elections
Section 22 – Constitutional Amendments
To Committee on Judiciary
Section 23 – Indian Resolution
To Committee on Federal Relations
Section 24 – Expenses of Constitutional Convention
To Committee on Appropriations
Section 25 – Count of Silver Bow County
To Committee on Revision

We further recommend the necessity thereof to us a plank that the Speaker be requested to appoint the following additional Standing Committees a Committee on "State Boards and Officers." We further recommend that the entire Message be referred to the Committee on Printing.

J Wm Wallace
Chairman

On motion of Courtney the report was adopted and Committee discharged.

On motion of Lowney, the Judiciary Committee were instructed to make an amendment to the rules so as to provide for a Committee on "State Boards and Officers" and a Committee on Rules.

Wallace gave notice of Bill to provide for a general Index of District Court Records.

On motion of Lowney, the Judiciary Committee were instructed to make an amendment in regard to the introduction of bills.

On motion of Whalley House took a recess for 15 minutes.
3. P.M.

House resumed
Mr Speaker in the Chair
Wallace gave notice of motion to amend rules 16 & 29.
Wallace Chairman of the Judiciary Committee made the following report:

Mr Speaker

Your Committee beg

leave, pursuant to the direction of the House to them given, to submit the following:

"Amend rule 16. to read as follows.

16: Standing Committees consisting of three, five or seven members each at the Session of the Speaker, shall be appointed on the following subjects;

1 Ways and Means,
2 Judiciary,
3 Appropriations,
4 Elections,
5 Agriculture, Manufacture, and Stock growing,
6 Education and Labor,
7 Mines and Minerals,
8 Towns, Counties and Highways,
9 Engrossment,
10 Printing,
11 Incorporations,
12 Military Affairs,
13 Revision,
14 Federal Relations,
15 Internal Improvements,
16 Enrollment,
17 Public Lands,
18 Water rights and Irrigation,
19 State Boards and Officers,
20 Rules,

Amend Rule 24 by adding after the final Word "same" the words—

"and no bill shall be introduced except after one days previous notice of the Bill by its title"

Wm Wallace Jr
Chairman Judiciary Com.

Report was received and laid over under the rules

Wallace was granted leave of absence

On motion of Poole House adjourned until 10 am tomorrow,

Chas Pond
Chief Clerk

Twenty Sixth Day

House of Representatives

Helena, Montana,

December 18. 1889

House met pursuant to adjournment at 10. a. m.

Roll called – no quorum present

Absent Boardman, Blair, Blake, Carey, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, McGowan, Holter, Hoskey, Howey, Lochray, Lund, Mitchell, Moran, Newcomer, Norton, Phillips, Pole, Stebbins, Waite, Young, Mr Luby Mr Speaker

Prayer by the chaplain

On Motion of Dillingham House took a recess for 15 minutes

10 30 a. m.

House resumed

Mr Speaker in the chair

No quorum present

On Motion of Conley, House adjourned until 10. a. m. to-morrow,

Chas. Sand
Chief Clerk

Twenty Seventh Day
House of Representatives
Helena, Montana
December 19th 1889

House met pursuant to adjournment at 10. a. m.;
Mr Speaker in the chair
Roll called - no quorum
Absent, Boardman, Blair, Blake, Cooney Cleary, Eaton, Goodman, Greenough, Harlan, Harrington, Hastin, Hoffman, Holter, Horsley, Howey, Humber, Lockhart, Loud, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Wade, Wing and Witten
Prayer by the Chaplain.
On Motion of Poole, House took a recess until 2, P. M.
2. P. M.
House resumed
Mr Speaker in the chair
Rollcalled - no quorum -
Absent, Boardman, Blair, Blake, Cleary Eaton, Goodman, Greenough, Harlan, Harrington, Hastin, Hoffman, Holter, Horsley, Howey, Humber, Lockhart, Loud, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Wade Wing and Witten
Absent on leave - Wallace
On Motion of Penrose House took a recess for 30 minutes
3 35 P. M.
House resumed
Mr Speaker in the Chair
Roll Called - quorum present
On Motion of Poole reading of the Journal was dispensed with
On motion of Humber the House adjourned until 10. a. M. Tomorrow

Chas. S. Card
Chief Clerk

Twenty Eighth Day
House of Representatives
Helena, Montana
December 20th 1889

House met pursuant to adjournment at 10 a. m.
Mr Speaker in the chair
Roll Called— no quorum
Absent, Boardman, Blair, Blake, Corey, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Higgins, Hoffman, Hollyhood, Hughs, Holter, Horsky, Howey, Lockray, Loud, Mitchell, Moreu, Newcomer, Norton, Phillips, Stebbins, Wing, Waite and Witter. absent on leave, Wallace,
Prayer by the chaplain
On motion of Carey House took a recess for 15 Minutes.
10 50
House resumed
Mr Speaker in the Chair
Quorum present
Journals of the 25th 26th and 27th days read and approved
Human presented the following:

Mr Speaker,

Your committee on Towns, Counties and Highways, having had under consideration that portion of the Governors Message directing the attention of the Legislative Assembly to needed legislation on the reference of fees of County Officers" beg leave to report as follows. Whereas, Section. 16, Page. 153, of the Laws of the 16th Legislative Assembly of the Territory of Montana, provides that a full and complete statement of all fees and emoluments, of whatever kind and character received by the several County Officers shall be filed with the county Clerk quarterly, And, Whereas; such information is necessary, as is contained in said quarterly statements in order that a Bill be drafted which will do justice alike to Officers and taxpayers

Be it resolved; That the several County Clerks of this State be requested to furnish a full and complete statement to this House of all fees and emoluments paid to the several County Officers, for the last year as shown by the files in their Offices, either as accounts allowed against the County, or statements filed of fees collected in criminal and civil cases, as required by the law acted above

R. D. Humber

Chairman Committee on Jurors, Courts, & Things

On motion of Black the report was adopted

The Sergeant at Arms reported as follows,

Mr Speaker

In accordance with a resolution bearing date of December 16th, 1889, requiring me to serve a certified copy of said resolution on certain members elect who had failed to appear in this House and take the oath and assume their seats as members of the House of Representatives, of the first Legislative Assembly of the State of Montana

I return that I have executed the same by delivering to each of said Jurors therein named personally, a certified copy thereof, at Helena, Montana on the 16th and 17th day of December, 1889.

Miles Finlen

Sergeant at Arms,

On motion of Loomis the report was received filed and spread upon the records

Cook was granted leave of absence until Monday

On motion of Hogan House took a recess until 2, P. M.

2. P. M.
House resumed
Mr Speaker in the Chair
Roll called - quorum present
Wallace introduced House Bill no. 1. entitled "An Bill for an act to provide an index for District Court Records"
H. B. No. 1. was read first and second times, and referred to the Committee on Printing
Notices of the introduction of Bills were given as follows:
Mr Speaker
I hereby give notice that on next session I will present a Bill entitled "An act for the protection of discharged employés and to prevent blacklisting
Peter Breen
Mr Speaker
I will tomorrow or on some following day introduce a bill to amend "An act to provide for printing ballots at the Public expense and to regulate voting at State and other Elections
Whaley
on motion of Conely the amendments of the Rules, recommended by the Judiciary Committee were adopted
On motion of Hogan House to a recess for 15 minutes
2.45 P. M
House resumed
Mr Speaker in the Chair
The Speaker announced the two additional standing Committees, in compliance to Amendments to Rules
State Boards and Officers:
Burns, Frank, McElwee, Woodson, Hughs Higgins and Breen
On Rules: Conely, Barrows and Penrose
On Motion of Frank House adjourned until Monday at 2 P. M.

Thirty First Day
House of Representatives
Helena, Montana
December 23. 1889.

House met pursuant to adjournment at 2 P. M.
Mr Speaker in the Chair
Roll called - No Quorum
Absent - Bordeaux, Blair, Blake, Canny, Leary, Eaton, Goodman, Greenough, Harlan, Hastie, Harrington, Higgins, Hoffman, Holter, Hosky, Howey, Lockey, Lord, Mitchell, Moran, McConnell, Norton, Phillips, Poole, Stebbins, Waite, Wallace, Wing and Witter
Prayer by the Chaplain
On motion of County House took a recess for 30 minutes,
3 P. M.
House resumed
Mr Speaker in the chair
On motion of County House took a recess until 6 30 P. M.
6 30 P. M.
House resumed
Mr Speaker in the chair
Woodson granted leave of absence until Saturday
On motion of Penrose House adjourned until 10. A. M. tomorrow,

Chas. Lord
Chief Clerk

Thirty Second Day

House of Representatives

Helena, Montana

December 24, 1889

House met pursuant to adjournment at 10 a. m.

Mr Speaker in the chair

Roll called - quorum present

Absent - Boardman - Blair, Blake, Berry, Eaton Goodman, Kenough, Harlan, Harrington Hastie, Hoffman, Holter, Horsky, Howey, Lockney Lund, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Waite, Wallace, Wing and Wither

Prayer by the chaplain

The journals of the 28th and 21st day read and approved

The following notice from Poole

Mr Speaker

I will tomorrow or some future day introduce a bill entitled "an Act to amend certain sections of "an act to prevent the sale of noxious drugs

Poole

Moved by Conrad that when the House adjourn, it adjourn until Friday the 27inst at 10 a. m. Carried.

On motion of Poole the House adjourned in compliance with Conrad's motion until Friday the 27inst at 10. a. m.

Chas. Conrad
Chief Clerk

Thirty Fifth Day

House of Representatives

Helena, Montana

December 27 1889

House met pursuant to adjournment at 10 a. m.

In the absence of the Speaker, House was called to order by the Chief Clerk

On motion of Whaley, Roach was elected Speaker pro tem

Roll called- no quorum

Absent- Boardman, Blair, Blake, Blakely, Breen Burns, Carey, Clarke Cory, Courtney, Crutchfield, Day, Dessault, Eaton, Frank, Gilligan, Goodman Greenough, Hardenbrook, Harlan, Harrington, Hastie Higgins, Hoffman, Hogan, Hollywood, Holter, Horsky, Howey, Hughes, Hunter, Lockney, Loud, McElwee Mitchell, Moran, Newcomer, Norton, Phillips, Power Schmidth, Stebbins, Towle, Twohy, Waite Wallace, Wing Witter and Woodson,

On motion of Conolly. House adjourned until 10, am tomorrow

Chas. J. Pond
Chief Clerk

Thirty Sixth Day

House of Representatives
Helena, Montana
December 28th 1889

House met pursuant to adjournment
at 10. a. m.
In the absence of the Speaker the was called
to order by the Chief Clerk
on motion of Day Kennedy was elected
Speaker pro tem
Roll called – 70 present
Absent – Boardman, Blair, Blake, Blakely, Bunn,
Carney, Clarke, Corey, Courtney, Crutchfield,
Desvault, Eaton, Frank, Gilligan, Goodman
Dennough, Hardin brook, Harlan, Harrington
Hastie, Higgins, Hoffman, Hogan, Hollwood,
Holter, Horsky, Howey, Hughs, Humber, Lockney
Load, McElwee, Mitchell, Moran, Newcomer
Norton, Phillips, Penrose, Schmidlth, Stebbins
Poole, Purdy Waite, Wallace, Whaley, Wing, Walker
and Woodson,
Prayer by the Chaplain
On motion of Day House adjourned
until Monday 10. a. m.

Chas B. Pond
Chief Clerk

Thirty Eighth Day
House of Representatives
Helena, Montana
December 31st 1889

House met pursuant to adjournment at 10. a.m.
Mr Speaker in the chair
Roll called - no quorum
Absent - Boardman, Blair, Blake, Burns, Carey Eaton, Lilligan, Lordman, Greenough, Harlan, Harrington, Hastie, Hoffman, Hogan, Holter, Horsley, Howey, Lockhay, Lund, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Waite, Wing and Witters
Prayer by the Chaplain
On motion of Mr. Elwell House took a recess for 30. Minutes
10 35 a.m.
House resumed
Mr Speaker in the Chair
On motion of Towle House took a recess until 2. P.M.
2. P.M.
House resumed
Mr Speaker in the chair
on motion of Burns House adjourned until 11 a.m. Tomorrow

Chas Pond
Chief Clerk

Thirty Ninth Day

House of Representatives

Helena, Montana

December 21st 1887,

House met pursuant to adjournment at 11 a. m.

Mr Speaker in the chair

Roll called — quorum present

Absent — Boardman, Blair, Blake, Carey, Eaton, Goodman, Greenough, Harlan, Haning, Harris, Hoffman, Holter, Hookey, Howey, Lockey, Lund, Mitchell, Moran, Mussoned, Norton, Phillips, Robbins, Waite, Wing and Witten

Absent with leave — Wallace

Burns introduced House Bill Number 2, "A Bill for an Act for the protection of discharged employees, and to prevent black-listing"

H. B. No 2 — was read first and second times, and referred to the Committee on Printing.

Committee on printing made to following report

Mr Speaker

Your Committee on Printing would respectfully report that H. B. No. 1. Has been correctly printed

Jas. E. Tuohy

Chairman House on Printing

H. B. No. 1. Having reported correctly printed was referred to the Judiciary Committee on motion of Barnes House adjourned until 2 P. M.

3 P. M.

House resumed

Mr Speaker in the chair

on motion of County House to a recess until 7 P. M.

7 P. M.

House resumed

Mr Speaker in the chair

Roll called — No quorum

Absent — Boardman, Blair, Blake, Carey, Carey, Courtney, Eaton, Goodman, Greenough, Hindenbrook, Harlan, Haning ton, Harris, Hoffman, Holter, Howey —

Lockaby, Loud, Mitchell, Moran, Mercommer, Norton, Phillips Stebbins, Toole, Waite, Wing and Witter.
Absent on leave - Wallace
On motion of Hogan call of the House was ordered and the Serg't at Arms instructed to bring in the absent members
Sergeant at Arms reported Carney, Courtney Haskell brook, and Toole present and their seats
On motion of Toole further call of the House was dispensed with
On motion of Toole House took a recess for 20 minutes
8 45 P. M.
House resumed
Mr Speaker in the chair
On motion of Cowly, House took a recess for 30 minutes.
9 30 P. M
House resumed
Mr Speaker in the chair
On motion of N Haley House took a recess for 30 minutes
10 15 P. M
House resumed
Mr Speaker in the chair
Wallace, absent on leave appeared in his seat
On motion of Frank, the House proceeded to express a choice for two United States Senator by Viva Voce Vote, which resulted in Martin Maginnis, receiving twenty eight votes, and W. A. Clarke, twenty eight votes, the members voting as follows:
For Maginnis - Barnard, Beach, Blakely Breen, Burns, Carney, Clarke, Cowly, Courtney, Cruikshank, Day, Desault, Frank, Gilligan, Higgins, Hogan, Hollywood Hughes, Humber, McElwee, Penrose, Pool Schmidlth, Toole, Twohy, Wallace, Whaley Woodson, - 28 votes

For Clarke - Barnard, Beach, Blakely, Breen Burns, Carney, Clarke, Cowly, Courtney, Cruikshank Day, Desault, Frank, Gilligan, Higgins, Hogan, Hollywood, Hughes, Humber, McElwee, Penrose, Pool, Schmidlth, Toole Twohy, Wallace, Whaley, Woodson - 28 votes

Hardenbrook, the only member present & not voting

Martin, Maginnis and W. A. Clarke each receiving twenty eight votes, a majority of the votes of the members elect of the House of Representatives of the first legislative Assembly of the State of Montana, were duly declared the choice for Senators

On motion of Conrad House adjourned until 10 a.m. tomorrow

Chas. J. Pond
Chief Clerk

First Day
Joint Assembly in the
Hall of the House of Representatives
Helena, Montana
January 1st 1890

Pursuant to law, at 12 o'clock m.
the Joint Assembly of the members of the
Senate and House of Representatives
of the first Legislative Assembly of the State
of Montana convened in the Hall of the
House of Representatives in the Court House
in the City of Helena, State of Montana
for the purpose of selecting two United
States Senators to represent the State of Mon-
tana in the Senate of the United States.

The Clerk of the House of Representa-
tives called the Roll of the House and there were
present answering to their names the follow-
ing members there; Barnow, Beach, Blakely
Breen, Burns, Clancy, Clark, County, Courtney, Crutch-
field, Day, Desparlt, Frank, Gillegan, Hardenbrook
Higgins, Hogan, Hollywood, Hughes, Humber
McElroy, Penrose, Poole, Schmidlin, Toole, Twohy
Wallace, Whaley and Woodson,

The President of the Senate and Chief
Clerk thereof being absent, the Clerk of the House
called the Roll of the Senate, and there were an-
swering to their the following members of the
Senate; Mussigy and Thornton,

On motion of County, Lt. P. Blakely, Speaker of
the House, was duly elected President of the
Joint Assembly, and Lt. J. Pond elected Chief
Clerk

The Journal of the House of Representatives
of the preceding day was then read, which
showed that the House had voted Viva Voce,
and Martin Maginnis had received 28 votes
and W. A. Clarke had received 28 votes for
Senators in Congress from the State of Montana

The Officers of the Senate failing to appear
with its records, and it not appearing that
any proceedings had been had by that body on
the preceding day for the Election of United States
Senators, The President of the Joint Assembly,

announced that the election of persons to serve as Senators in Congress from the State of Montana, was in order, and directed the Clerk of the Joint Assembly to call the roll. Whereupon the Clerk called the roll, each person present as his name was called declared viva voce his choice for Senator, as follows: for first choice, W. A. Clarke received 29 votes, and W. W. Dixon 1 vote, for second choice - Martin, Magginis, received 31 votes.

The Election Resulted in the choice

On Motion of Frank, the Joint Assembly adjourned until 12. M. Tomorrow.

Fortieth Day

House of Representatives
Helena, Montana
January, 1st 1891

House met pursuant to adjournment
at 10 A.M.
Mr Speaker in the chair
On motion of Higgins, House took a recess
for 30 minutes
10.30 A.M.
House resumed
Mr Speaker in the chair
roll called- no quorum
Absent— Boardman, Blair, Blake, Berry, Eaton
Goodman, Hemmingh, Harlan, Harrington, Hastie
Hoffman, Holter, Hoskey, Howey, Lockey, Lovick.
Mitchell, Moran, Newcomer, Norton, Phillips,
Pierron, Stebbins, Toole, Twohy, Waite, Wallace,
Wing and Wittich

On Motion of Brault, the House took a
recess for 30 minutes
11— A.M.
House resumed
Mr Speaker in the chair
On motion of Conley call of the House
was ordered the Roll was called
and the Sergeant at Arms instructed to
bring in absent members
The Sergeant at Arms reported Pierron
and Wallace present in their seats
On motion of Conley further call of
the House was dispensed with
On motion of Conley House took
a recess until 2. P.M.
2 P.M
House resumed
In the absence of the Speaker, the House was
called to order by the Chief Clerk
On Motion of Conley. Hogan was elected
Speaker pro tem
On Motion of Day, House adjourned
until 10. A.M. tomorrow

Chas. Gond
Chief Clerk

Forty first Day
House of Representatives
Helena, Montana.
January 2nd 1891

House met pursuant to adjournment at 10. A. M.
Mr Speaker in the chair
Roll Called – No quorum
Absent – Boardman. Blair, Blake, Berry, Coutchfield, Eaton, Foreman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Hosley, Howey, Hughs, Humbird, Lockey, Loud, Mitchell, McRae, Newcomer, Norton, Phillips, Stebbins, Toole, Twohy, Waite, Wallace, Young and Witter.
Prayer by the chaplain
On motion of Carney. House took a recess until 11. A. M.
11 A. M.
House resumed
Mr Speaker in the chair
On motion of Conely; House took a recess until 2 P. M.
2 P. M.
House resumed
In the absence of the Speaker House was called to order by the Chief Clerk
On motion of Hollywood. Courtney was elected President pro. tem.
On motion of Frank, the House adjourned until 10. A. M. Tomorrow

Chas Pond
Chief Clerk

Forty Second Day

House of Representatives
Helena, Montana
January 3d 1893.

House met pursuant to adjournment
at 10. A. M.
Mr Speaker in the chair
Roll called — no quorum
Absent — Boardman, Blair, Blake, Carey, Eaton
Harlan, Harrington, Hartin, Hoffman, Holter, Hoskins
Henry, Lockaay, Lund, Mitchell, Mowat, Newcomer, Norton
Phillips, Stebbins, Waite, Wing + Witter
Prayer by the Chaplain
On motion of Hogan, House took a recess
until 11 A. M.
11 A. M.
House resumed
Mr Speaker in the chair
On motion of Himmler the House adjourned
until 11 A. M. tomorrow

Chas. F. Lund
Chief Clerk

Forty Third Day

House of Representatives

Helena, Montana

January 4. 1893

House met pursuant to adjournment at 11:30 a.m.

Mr Speaker in the chair

Roll called- quorum present

Absent- Boardman- Blair- Blake- Carey. Eaton. Fordham Fremont. Harlan. Harrington, Hartin, Hoffman, Holter, Hunkey, Howey. Lakey. Lund. Mitchell, Moran, Mussmier, Norton. Phillips. Stebbins. Waite. Wing and Witter.

Prayer by the Chaplain

Frank moved that when the House adjourns it adjourn until Monday, the 6th at 11 o'cl a.m. carried

On motion of Frank House took a recess until 12:15 p.m.

12:15

House resumed

Mr Speaker in the chair

On motion of Day the House adjourned in compliance with Frank's motion until Monday 6th inst at 11 o'cl

Chas B Lund
Chief Clerk

Forty Fifth Day

House of Representatives
Helena, Montana
January 6, 1891

House met pursuant to adjournment at
11 o'cl A.M.
Mr Speaker in the Chair
Roll called - quorum present
Absent - Boardman, Blair, Blake, Carey, Cavanaugh, Dorsey, Donovan, Fenaugh, Harlan, Harrington, Hastie, Hoffman, Holter, Hosky, Howey, Jackson, Lough, Mitchell, Morrow, Newcomer, Norton, Phillips, Stebbins, Wade, Wing and Witter,

On motion of Carey House took a recess until 3 - P.M.

3 P.M.

House resumed.

Mr Speaker in the chair

On motion of Frank the House adjourned until 11 o'cl. A.M. tomorrow

Chief Clerk

Forty Sixth Day

House of Representatives
Helena, Montana
January 7th 1891

House met pursuant to adjournment at 11 30
Mr Speaker in the chair
Roll called - quorum present
Absent - Boardman, Blair, Blake, Berry, Eaton, Goodman, Hemingway, Harlan, Haning, Hastie, Hoffman, Holter, Huskey, Howey, Lackey, Loud, Mitchell, Moran, Mercouret, Norton, Phillips, Stebbins, Waite, Wing and Wilder
Journals of the 40, 41, 42, 43, and 45th days read and approved
On motion of Comly the House took a recess until 12 30 P.M.
12 30 P.M.
House resumed
Mr Speaker in the chair
On motion of Comly the House took a recess until 1 30 P.M.
1 30 P.M.
House resumed
Mr Speaker in the chair
On motion of Comly the House took a recess until 4 P.M.
4 P.M.
House resumed
Mr Speaker in the chair
E. P. Blakely, President of the Joint Assembly of the Members of the two Houses of the Legislative Assembly of the State of Montana, presented a certified copy of the proceedings of said Joint Assembly from and including January 1st 1891 to date, which were read and on motion of Comly were ordered to be spread upon the Journal of the House
On Motion of Comly the House adjourned until 4 P.M. Tomorrow

Chas B. Pond
Chief Clerk

Proceedings of the Joint Assembly of the Members of the Senate, and House of Representatives of the Legislative assembly of the State of Montana.

"First Day

Joint Assembly in the
Hall of the House of Representatives
Helena Montana
January 1st. 1896

Pursuant to law at 12 oclock M. the Joint Assembly of the members of the Senate and House of Representatives of the first Legislative Assembly of the State of Montana, convened in the Hall of the House of Representatives in the Court House in the City of Helena, State of Montana, for the purpose of electing United States Senators to represent the State of Montana, in the Senate of the United States.

The Clerk of the House of Representatives called the roll of the House and there were present answering to their names the following members thereof, Barnes, Beach, Burns, Blakely, Brownlee, Clarke, Conly, Courtney, Crutchfield, Day, Desault, Faul, Gilligan, Hardenbrook, Higgins, Hogan Hollywood, Hughs, Humbird, McElwee, Penhale, Pool, Schmidt, Toole, Twohy, Whaley, and Woodson.

The President of the Senate and Chief Clerk thereof being absent, the Clerk of the House called the roll of the Senate and there were there answering to their names the following members of the Senate, viz; Hennessy and Thornton.

On motion of Conly, C. P. Blakely, Speaker of the House, was duly elected President of the Joint Assembly, and Chas. J. Rood was elected Chief Clerk

The Journal of the House of Representatives of the preceding day was then read which showed that the House had voted viva voce and Martin Maginnis had received 28 votes, and W. A. Clark had received 28 votes for Senators in Congress from the State of Montana

The Officers of the Senate failing to appear with its records and it not appearing that any proceedings had been had by that body on the preceding day for

the election of United States Senators

The President of the Joint Assembly announced that the election of persons to serve as Senators in Congress from the State of Montana, was in order, and directed the Clerk of the Joint Assembly to call the roll each man present as his name was called declared viva voce his choice for Senators, and the election would be in my choice.

On Motion of Frank the Joint Assembly adjourned until 12 m tomorrow.

C. H. Card
Clerk of Joint Assembly

Second Day

Joint assembly in the
Hall of the House of Representatives
Helena, Montana
January 2. 1890

The Joint Assembly met pursuant to adjournment at 12 m

E. P. Blakely, President, in the Chair and Chas. J. Pond acting as Chief Clerk

The Joint Assembly then proceeded to vote for United States Senator, viva voce, which election resulted in no choice

On motion J. Frank the Joint Assembly adjourned until 12 m tomorrow

Chas. J. Pond
Clerk of Joint Assembly

Third Day

Joint Assembly in the Hall of the House of Representatives Helena. Montana January 8th 1890

The Joint Assembly met pursuant to adjournment at 12 M

E.P Blakely President in the chair and Chas J. Pond acting as Chief Clerk

The Joint Assembly proceeded to to vote for United States Senator viva voce which election resulted in no choice

On Motion J. Frank the Joint Assembly adjourned until 12 M Tomorrow.

Chas J. Pond
Clerk of Joint Assembly

Fourth Day

Joint Assembly in the
Hall of the House of Representatives
Helena, Montana

January 4, 1890

The Joint Assembly met pursuant
to adjournment at 12 m

E. P. Blakely President in the chair
and Chas. J. Bond acting as Chief Clerk

The Joint Assembly then proceeded
to vote for United States Senator viva voce
which election resulted in no choice

On Motion of Frank the Joint Assembly
adjourned until 12 m tomorrow

Chas. J. Bond
Clerk of Joint Assembly

1st Day

Joint Assembly in the Hall of the House of Representatives Helena Montana January 6th 1891

The Joint Assembly met pursuant to adjournment at 12 m

E.P. Blakely President in the chair and Chas S. Pardee acting as Chief Clerk

The Joint Assembly then proceeded to vote for United States Senators viva voce which resulted in no choice

On motion of Mr. Pardee the Joint Assembly adjourned until 12 m tomorrow

Chas S. Pardee
Clerk & Secretary Joint Assembly

Sixth Day
Joint Assembly in the
Hall of the House of Representatives
Helena, Montana
January 7. 1890

The Joint Assembly met pursuant to adjournment at 12 m.

Lt. P. Blakely President in the Chair and Chas. Buck Jr acting as Chief Clerk

The roll was called and the following members of the House were present.

Barrows, Beach, Blakely, Burns, Breen, Carey, Clark, Conley, Courtney, Crutchfield, Day, Desault, Frank, Gilligan, Hardenbrook, Higgins, Hogan, Hollywood, Hughes, Humbird, Mc Elwee, Penrose, Pool, Schmidt, Toole, Twohy, Wallace, Whaley and Woodson,

The roll of the Senate was called and the following members were present and answered to their names:

Baker, Beaker, Hennessy, Lt. W. Hoffman, McNamara, Parberry, Redd and Thornton

The Joint then proceeded to vote viva voce for first choice for Senator,

The Chief Clerk of the Joint Assembly called the roll each member present as his name was called declared viva voce his choice for Senator and the election resulted as follows.

W. A. Clark received the votes of; Baker, Barrows Beach, Beaker, Blakely, Breen, Burns, Carey, Clark, Conley, Courtney, Crutchfield, Day, Desault, Frank Gilligan, Hardenbrook, Hogan, Hennessy, Higgins, Hoffman Lt. W—, Hollywood, Hughes, Humbird, Mc Elwee McNamara, Parberry, Penrose, Pool, Redd, Schmidt, Thornton, Toole, Twohy, Wallace, Whaley and Woodson —37 Votes—

Whereupon the President declared that W. A. Clark, having received 37 votes which was a majority of all the votes cast, a majority of the members elected to both Houses being present and voting, was duly elected to serve as Senator in Congress from the State of Montana.

Then being a second Senator to elect, the roll was called, each member

present as his name was called declared viva voce his choice for Senator and the election resulted as follows. Martin Maginnis received the votes of J. Baker, Blanrows, Beach, Becker, Blakely, Bunn Burns, Conely, Carney, Clark, Courtney, Crutchfield, Day, Desault, Frank, Gilligan Hardenbrook, Hennessy, Higgins, Hoffman W. W, Hogan, Hollywood, Hughes, Humber, McElwee, McNamara, Pairbury, Pelrose, Pool, Redd, Schmidt, Thornton, Toole, Twohy, Wallace, Whaley and Woodson.

Whereupon the President declared that Martin Maginnis having received 87 votes which was a majority of all the votes cast; a majority of the members elected to both Houses being present and voting, was duly elected to serve as Senator in Congress from the State of Montana.

On motion of Penrose, the President appointed the following committee; Penrose, Baker, and Toole to notify W. A. Clark and Martin Maginnis of their election.

The minutes of the 1st, 2nd, 3d, 4th, 5th, and 6th, days were read and approved.

On motion of Conely the President and Chief Clerk were instructed to transmit to the Governor, Secretary of State, the Senate, and the House of Representatives a certified copy of the proceedings of the Joint Assembly.

On motion of Frank the Joint assembly adjourned sine die.

C. P. Blakely
President Joint Assembly

Chas. J. Foxal
Chief Clerk

Forty Seventh Day

House of Representatives

Helena, Montana

January 8th 1890

House met pursuant to adjournment at 4 P.M.

Mr Speaker in the chair

Roll called - No quorum

Absent - Boardman, Blair, Blake, Berry, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Horsley, Howey, Lockhay, Loud, Mitchell, Moran, Mercomer, Norton, Rhodes, Stebbins, Waite, Wing and Witter

Absent on leave - Frank and Lilligan

The following communication was received from the Governor:

State of Montana
Executive Office
Helena, January 8, 1890

To The Speaker of the House of Representatives

Pursuant to Sec, 10, of Art. 7. of the Constitution I have the honor to transmit herewith estimate of the amount of money required to be raised by taxation for all purposes of the State for the ensuing two years. The inclosed estimate does not embrace the salaries of Public Examiner, Warden of the Penitentiary and guard hire, the salaries of which must first be fixed by law. In addition to the amount estimated I recommend the appropriation of one thousand eight hundred dollars to be equally divided among the several State Officers for the purchase of furniture for their respective offices

In the consideration of general and other appropriation bills it is important to remind you that while the Constitution fixes three mills as maximum taxation, we are required to keep our expenditures within two mills for the ensuing year (the levy having been made at that rate and payable at the close of the present month) unless

a larger amount shall be raised from the collection of additional license tax

The following statement shows the condition of the State Treasury on December 31st 1889 but does not embrace the outstanding indebtedness, which in the absence of the report of the Auditor cannot be obtained

Jos K. Toole
Governor

Executive Office
Helena, Montana
January 8th, 1890,

Trial Balance

Office of the State Treasurer, Dec. 31st 1889.

1889							
Dec,	31	To Cash on hand		35	186	87	
	"	" Sheep Inspection fund			540	26	
	"	" Stock Indemnity "		5	788	82	
	"	" Inspector & Detective "			1940	42	
	"	" W. G. Edward "de faulter"			322	32	
							43778 19
Dec.	31	By State of Montana		36	905	87	
	"	" Escheated Estates			682	08	
	"	" G. A. Hamilton			2	24	
							43778 19

Executive Department

		for one year		for two years	
Salary of Governor	$ 5000.00				
" " Secretary of State	3000.00				
" " Attorney General	3000.00				
" " State Treasurer	3000.00				
" " State Auditor	3000.00				
" " Supt. Pub. Inst'n.	2500 00	19500	00	39000	00
Clerk hire and office expenses					
Governor's Secretary	$ 1200 00				
" " Office Expenses	1000 00	2200	00	4450	00
Secretary's " " "	500 00				
" " Clerk hire	1200 00	1700	00	3400	00
Auditors Office expenses	500 00				
" Gathering statistics	2000 00				
Interest on outstanding warrants	500 00				
Treasurers Office expenses	3500 00	3500	00	7000	00
Attorney Generals Office expens	350 00				
" " " Furniture	150 00	500	00	700	00
Supt. Pub. Inst. Mileage expens		1000	00	2000	00
Printing for Auditor & Treasurer		1500	00	3000	00
Rent of State Offices		2842	00	5684	00
Requisitions and Rewards		3000	00	6000	00
		35742	00	71184	00

Legislative Department

Senate

16 members @ $6.00 per day for 90 days	864	00
1 Chief Clerk @ $10.00 per day for 90 days	900	00
1 Asst. " @ $5.00 " " " " "	450	00
3 Clerks @ $5.00 " " " " "	1350	00
1 Sergt at Arms @ $5.00 " " " "	450	00
1 Door Keeper @ $5.00 " " "	450	00
2 Pages @ $3.00 " " "	540	00
Rent for Assembly Rooms	300	00
Incidentals	300	00
		13380 00

House

55 Members @ $6.00 per day for 90 days	2970	00
1 Chief Clerk @ $10.00 " " " " "	900	00
1 Asst. " @ $5.00 " " " " "	450	00
5 Clerks @ $5.00 " " " " "	2250	00
1 Sgt at Arms, $5.00 " " " " "	450	00
1 Door Keeper @ $5.00 " " " " "	450	00
3 Pages @ $3.00 " "	810	00
Rent and Incidentals	1350	00
		36570 00

Printing for both Houses	1000	00
Mileage " " "	3600	00
		4500 00
Lieutenant Governor $6.00 per day for 90 days		540 00
	54690 00	65193 00

Judiciary Department

	one year		two years	
3 Justices Supreme Court	12000	00		
8 District Judges	28000	00		
Clerk of the Supreme Court	2500	00		
one half of salaries of County Attorneys	6300	00		
	48800	00		
			97600	00
Code Commissioner (unpaid salary)	9000	00	9000	00
Clerk hire " " & Expenses	2500	00	2500	00
	60300	00	109100	00

State Officers (abolished)

			one year		two years	
Mine Inspector	salary	$ 2500.00				
" "	Mileage & Ex	1200.00				
" "	Assistant	600.00	4300	00	8600	00
Veterinary Surgeon	Salary	3000 00				
" "	Mileage & Ex	2000 00	5000	00	10000	00
Boiler Inspectors	salary	2400.00				
" "	Mileage & Ex	2000.00				
" "	Assistant	1800.00	6200	00	12400	00

Miscellaneous Expenses

		1 year		2 years	
Convicts & Insane Public charges					
Support of Insane	$75000.00				
" " Convicts	45000.00				
Conveying " "	3000.00	123000	00	246000	00
Increase 20% for second year				60000	00
Education of Deaf Mutes & Blind Children					
including transportation		5500	00	11000	00
Montana Library					
Salary of Librarian	$1080.00				
Annual Appropriation	400.00				
Special - Balance	1000.00	2480	00	5960	00
National Guard of Montana					
Building & Arsenal	10,000.00				
Annual Appn, $600 ea to each County	(13) 6500.00				
Salaries & contingent expenses	3500.00	20000	00	40000	00
Public Printing & Advertising					
Annual Appropriation		4000	00	8000	00
Historical Society					
Annual Appropriation		5000	00	10000	00
Janitors Salary		600	00	1200	00
		156088	50	876660	00

Recapitulation

Executive Department	30742 00	71184 00
Legislative Department	37090 00	55-100 00
Judiciary Department	60300 00	109100 00
State Officers (Appointed)	10000 00	30000 00
Miscellaneous expenses	136080 00	376660 00
	333212 00	642124 00

Leave of absence was granted, to Carney until Friday, to Beach until Monday, to Haley until Friday. to Pool until Friday

On motion of Rood the House adjourned until tomorrow at 9 A.M.

Chas. J. Rood
Chief Clerk

Forty Eighth Day
House of Representatives
Helena, Montana
January 9th 1891

House met pursuant to adjournment at 4. P.M.
Mr Speaker in the chair
Roll called - No quorum
Absent - Boardman, Blair, Blake, Berry, Calvin, Goodman, Greenough, Harland, Hanning, Hastie, Hoffman, Holter, Horsky, Hovey, Lockey, Loud, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Waite, Wing and Witter
Absent on leave - Cadmey, Beach, Pol, and Wholey
On motion of Doty the House adjourned until 4. P.M. Tomorrow

Chas. B. Loud
Chief Clerk

Forty Ninth Day

House of Representatives

Helena. Montana

January. 15. 1891

House met pursuant to adjournment at 4 P.M.

Mr Speaker in the chair

Roll called - no quorum

Absent - Boardman, Blair, Blake, Berry, Eaton, Gordman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Hokey, Howey, Lockey, Lund, Mitchell, Moran, Mudconen, Norton, Phillipo, Stebbins Waite, Wing and Witter

absent on leave - Kenney, Beach and Pool

On Motion of Humbert the House adjourned until 4 P.M. tomorrow

Chas. J. Bush

Chief Clerk

Forty Fifth Day

House of Representatives
Helena, Montana
January 11, 1890

House met pursuant to adjournment at 4 P.M.

Mr Speaker in the chair

Roll called - no quorum

Absent - Boardman, Blair, Blake, Berry, Calow, Goodman, Grimmugh, Harlan, Harding Co., Hastie, Hoffman, Holter, Horkey, Howey, Lahey, Land, Mitchell, Moran, Mccrorden, Norton, Phillips, Stebbins, Waite, Wing and Witter

Absent on leave - Beach, Barney and Rood

On Motion of Humbird the House adjourned until 4. P.M. Monday

Chas. J. Pouch
Chief Clerk

Fifty Second Day

House of Representatives

Helena. Montana

January. 10th 1890

House met pursuant to adjournment
at 4 P.M.
Mr Speaker in the chair
On motion of Whaley the House took a
recess for 15 minutes
4 20 P.M.
House resumed
Mr Speaker in the chair
Roll called - quorum present
Absent- Boardman. Blair, Blake, Carey, Eaton
Goodman, Greenough, Harlan, Harrington,
Hoatie, Hoffman, Holter, Horsky, Howey,
Lockey, Loud, Mitchell, Moran, Mercouier
Morton, Phillips, Stebbins, Waite, Wing and Witter
Absent on leave- Kenney.

The Minutes of the 46th 47th 48th 49th
and 50th days, were read and approved
the Communications which were received
from the Governor on the 8th were again
read and referred to the Committee on
Ways and Means

On Motion of Penrose the House adjourned
until 10. A.M. tomorrow

Chas J. Pond
Chief Clerk

Fifty Third Day

House of Representatives
Helena, Montana
January 14, 1891

House met pursuant to adjournment at 10 a.m.
Mr Speaker in the chair
Roll called - no quorum
Absent - Boardman - Blair - Blake, Bunnell, Carey, Eaton - Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Hosky, Howey, Lockey, Lovel, Mitchell, Moran, Newcomb, Norton, Phillips, Stebbins, Waite, Wing and Wittes
Absent on leave - Carney

On motion of Frank, the House took a recess for 30 minutes
10 35 a.m.

House resumed
Mr Speaker in the chair
On motion of Whaley, the House adjourned until 10 a.m. tomorrow

Chas. J. Rood
Chief Clerk

Fifty Fourth Day
House of Representatives
Helena, Montana
January 15th 1890

House met pursuant to an Adjournment at 10. A. M.
The Speaker in the chair
On motion of Mr Higgins the House took a recess for 10 minutes.
10 20 A.M
House resumed.
The Speaker in the chair
Roll called - no quorum
Absent Boardman, Blair, Blake, Carey, Calvin Dowman, Greenough, Harlan, Harrington, Hastie Hoffman, Holter, Horsky, Howey, Lockey, Loud Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins Waite, Wing and Witter
A sent on leave - Carney - Burns
Prayer by the Chaplain
On motion of Poole the House adjourned until 10 A.M. tomorrow

Chas Z. Rood
Chief Clerk

Fifty Fifth Day

House of Representatives
Helena, Montana
January 16th 1890

House met pursuant to adjournment
at 10 A. M.
Mr Speaker in the chair
Roll called - No quorum present
Absent - Boardman, Blair, Blake, Carey, Eaton
Goodman, Greenough, Harland, Harrington
Hastie, Hoffman, Holter, Hosaky, Howey
Lockhay, Lund, Mitchell, Moran, Norton, Newcomer
Phillips, Robertson, Waite, Wing and Walter
Prayer by the Chaplain
On motion of Whaley the House took a
recess until 2. P. M.
2 P. M.
House resumed
Mr Speaker in the chair
On motion of Fools, the House adjourned
until 10 A. M. tomorrow

Chas Z. Rouch
Chief Clerk

Fifty Sixth Day
House of Representatives
Helena Montana
January 17. 1890

(House met pursuant to adjournment at 10 A.M.

Mr Speaker in the chair

Roll called- quorum present

Absent- Boardman, Blair, Blake, Bonner, Eaton, Goodman, Greenough, Harlan, Harkins bro, Hastie, Hyman, Holter, Hoskey, Howey, Lockray, Loud, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Wallace, Wing and Witter

Prayer by the Chaplain

Journals of the 52nd 53d 54th 55th days were read and approved

Beach gave the following notice;

Mr Speaker

I will on tomorrow or some subsequent day introduce a bill to provide for statistics for Legislative purposes

Beach

Pool introduced H.B. No. 3. entitled An act to amend certain sections of an act to prevent the sale of noxious drugs

Read first and second times and on motion of Wallace referred to Committee on Internal Improvements.

The Judiciary committee made the following report

Mr Speaker

Your Committee to whom was referred House Bill No. 1. an act entitled An Act to provide an Index to District Court Records, report the same back to the House with two verbal corrections and recommend that as corrected the Bill do pass

Wm Wallace Jr
Chmn Judiciary Com,

On motion of Conley the report was received and referred to Committee of the Whole.

Judiciary report No. 2.

Mr Speaker

Your Committee on Judiciary to whom was referred that portion of the Governors Message, entitled "Legislation required by the Constitution" wherein the Governor called the attention of the Legislature to many provisions of our Constitution, beg leave as to that portion of the message to submit the following.

We have investigated the several sections of the Constitution therein referred to, as well as the Constitution as a whole; we have found some several sections in addition to those specifically enumerated in the message, which require legislation to make them operative. Ordinarily legislative bodies are left to individual of the part of its members by introduction of bills to obtain material for legislative action. But the present Legislative Assembly, as the first under the State Constitution is confronted by a vast number of constitutional provisions peremptorily calling upon us for legislative action, and defining the general character of the measures necessary to comply with their requirements. The labor involved in the accomplishment of the required legislation is more than enough to occupy our entire time during the remainder of the ninety day session in which we are now sitting, and this labor is of so vast moment, as that in the opinion of your Committee it would be unwise to defer the consideration for its accomplishment to the voluntary action of individual members, more especially as this would result in many pursuing the same path, one not knowing of anothers intention as to introduction of special measures.

In view of the foregoing your Committee believe that this work should be systimized and referred by classified subjects to the appropriate Standing Committee's of the House with directions to each Committee to act as speedily as possible upon the sections referred to them and to report back

measures or Bills meeting the requirements of the sections submitted. And to assist in the accomplishment of this purpose your committee has classified by subject the various sections of the Constitution, and designated the various standing committees to which by such classification the said several sections should appropriately be referred, as follows, towit:

'Art. 5. Sec 30.- Legislature and governmental supplies.- Art 12. Sec. 1.- Raising of revenue.- Art 12. Sec. 16.- Disposition of taxes.- Art 12. Sec. 11.- Purposes of taxation.- Art 11. Sec. 6.- Revenue for School purposes-

To committee on Ways and Means

Art. 5. Sec. 8.- Prosecution of criminals.- Art. 5 Sec. 23. Consent to waive of jury- Art. 5. Sec 5.- Legislative Compensation- Art. 5 Sec. 28.- Compensation of Legislative Employees- Art 5. Sec. 42. 43.- Bribery of Members of Legislature Art. 8. Sec. 4- Terms of Supreme Court- Art 8. Sec. 9. Clerk of Supreme Court- Art. 8. Sec 32- Publication of Supreme Court reports- Art 8 Sec. 23.- Appeals from Justice Court- Art. 19. Sec 4.- Homestead - Exemption laws- Art. 10 Sec. 2- Seat of government Election.-

To Judiciary committee.

Art 5- Sec. 33- Appropriation for Government Expenses

To committee on Appropriations

Art. 5. Sec. 4. Senatorial & Representative districts- Art. 7 Sec 2. Election of State officers- Art 9. Sec 9. Registration Law.

To committee on Elections.

Art 6, Sec. 2 - Counties- Art 11. Sec. 3 - School funds- Art. 11. Sec 10.- Election School officers Art 16. Sec. 1. Labor Bureau- Art 1. Sec. 11.- State Board of Education- Art. 11 Sec. 2 Permanent School Fund.

To committee on Education and Labor

Art. 9. Last entries Sec 15- Private Roads- Art. 8. Sec. 19- County Attorneys- Art 16. Sec. 6. County

Sundale & Tedrick

To Committee on Towns, Counties, and Highways

Art. 15 Sec. 4 - Election of Corporate Officers
Art. 15 Sec. 7 Regulation of Railroads - Art. 15 -
Sec. 10 - Increase of Corporate Stock - Art 15 - Sec 14.
Consolidations of Corporations. Art. 15 - Sec 20
Insets -

To Committee on "Incorporations"

Art. 14 Sec 2 - Organization of State Militia
Art. 14 Sec. 3 - Appropriations for " " "
Art. 14 Sec 4 - Keeping of Military equipments
To Committee on "Military Affairs"

Art. 2 Sec. 1 - U. S. Military reservations - Jurisdiction
To Committee "Federal Relations"

Art. 10 Sec. 1 - Reformatory Institutions
To Committee on "Internal Improvements"

Art. 17. Sec. 1 - Public Lands - Art 17. Sec 3. Disposition of Public Lands - Art. 19 Sec. 3. Preference to settlers.
To Committee on "Public Lands"

Art. 19. Sec. 3 - Grant fixed.
To Committee on "Agriculture, Manufg. & Stock growing"

Art. 7 Sec 8 State Examiner, Art. 7. Sec. 7. -
Board of Pardons - Art. 7. Sec. 20. - Board of
State Prison Commissioners - Art. 11 Sec. 4 -
State Board of Land Commissioners
Art. 12 Sec. 13 State Treasurer Report - Art. 12
Sec. 15 State Board of Equalization
To Committee on "State Board and Officers"

Art. 3 first sentence Sec. 18 - Water, disposition of.
To Committee on "Water rights & Irrigation"

Wm Wallace Jr
Chairman Judiciary Com.

On Motion of Beach the report was received and adopted.

on Motion of Beach, the Chief Clerk was instructed to forward the information in the resolution introduced by the Committee on Towns, Counties and Highways on the 21st day of December, 1889, to the several County Clerks, with the request that they answer at once

Penrose moved that when the House adjourn it adjourn until 10 a.m. Monday - Carried

On Motion of Pool the House adjourned until 10. a. m. Monday

Chas. L. Burd
Chief Clerk

Fifty Ninth Day

House of Representatives

Helena, Montana

January 2d, 1890

House met pursuant to adjournment at 10 a. m.

In the absence of the Speaker the House was called to order by the Chief Clerk

On Motion of W. Kelly, Beverly was elected Speaker pro tem

Roll called- No quorum

Absent- Boardman, Blair, Blake, Casey, Eaton, Goodman, Greenough, Gilligan, Franck, Hastie, Harlan, Harrington, Hofman, Horgan, Holter, Horsky, Howey, Lockhay, Loisel, Mitchell, Moran, Newcomer, Norton, O'Hill, Jno Stebbins, Waite, Wing & Witter

On Motion of Wallace, the House took a recess until 4:30 P. M.

4:30 P. M.

House resumed

Mr Speaker in the chair

On Motion of Beach. House adjourned until 10 A. M. tomorrow

Chas L. Rood
Chief Clerk

Sixtieth Day

House of Representatives
Helena, Montana
January 21. 1890

House met pursuant to adjournment at 10 A. M.
Mr Speaker in the chair
Roll called — quorum present
Absent — Boardman — Blair — Blake, Carey, Eaton, Goodman, Freeough, Harlan, Harkington, Hastie, Hoffman, Holter, Howey, Hickey, Lockey, Loud, Mitchell, Morris, Mercouber, Norton, Phillips, Stebbins, Waite, Wing & Witter
Prayer by the Chaplain
On motion of Goodle the House took a recess until 2. P. M.

2 P. M

House resumed
Mr Speaker in the chair
Roll called — Quorum present
The Journals of the 56th and 57th days were read and approved

Notices of the introduction of Bills were given as follows. — "By Beach"

Mr Speaker,

I will on tomorrow or some subsequent day introduce a Bill to provide for Reports and the publication of the same.

"Beach"

By Barrows.

Mr Speaker

Notice is given that on tomorrow or some subsequent day I will introduce a bill entitled "An act to amend section 1 of an act for the better protection of game and fish" approved Feby. 28th 1889.

"Barrows"

By Wallace

Mr Speaker

Notice is hereby given that on tomorrow or some subsequent day I will introduce a bill for an act entitled "An act regulating the granting

of Pardons, commutations, respites and remissions and prescribing the functions and duties of the Boards of Pardons

Ballard

Chairman Judiciary Com.

By Penrose

Mr Speaker

Notice is hereby given that on tomorrow or some subsequent day I will introduce a bill entitled "An Act to provide for the speedy execution or banishment to Louisiana of "State Stealers"

Penrose

Humbird introduced the following:

Whereas, Article 13, Section 5 of the Constitution of the State of Montana expressly provides, that no county shall incur an indebtedness to exceed five per centum of the (value of the) taxable property therein, including existing indebtedness, and, Whereas, Information with reference to said indebtedness is very necessary to the end that intelligent Legislation may be had,

Therefore, Resolved, That the County Treasurers of the several Counties be requested to furnish by statement to this House of the approximate indebtedness of their respective Counties, and an aggregate of the assessed valuation of the Property of the same as soon as practicable. And further Resolved, that the Chief Clerk be instructed to notify each County Treasurer of the action taken by this House

Humbird

On motion of Beach the resolution was adopted

House resolved itself into Committee of the Whole to consider H.B. No. 1.

Committee arose

Mr Speaker in the Chair

Beach Chairman of the Committee of the Whole, reported consideration of H.B.

No. 1: and asked for further time to make report

On motion of Hammond the House adjourned until 10 a.m. tomorrow

Chas. Z. Powell
Chief Clerk

Sixty First Day

House of Representatives

Helena Montana

January 22, 1890

House met pursuant to adjournment at 10 A.M.

The Speaker in the chair

Roll called - quorum present

Absent - Boardman, Blain, Blaker, Berry, Eaton, Goodman, Greenough, Harland, Harding, Hostetter, Huffman, Holter, Howey, Hookey, Lockway, Lonas, Mitchell, Murdock, Newcomer, Norton, Phillips, Stebbins, Waite, Wing and Witter

The Journal of 60th day read and approved

The following notices of Bills were given

By Barnes

The Speaker

Notice is hereby given that on tomorrow or some subsequent day I will introduce a bill for an Act to provide for the holding of regular sessions of the Supreme Court

Barnes

By Wallace (chm of Judiciary Comm.

Notice of Bill to prescribe compensation of clerks of Supreme Courts etc.

Wallace

Judiciary Committee

By Hollywood

The Speaker

I hereby give notice that on tomorrow or some subsequent day I will introduce a bill regulating the hours of Labor for underground miners

Hollywood

The following Bills were introduced

Cooney, Chairman, Committee of Ways & Means introduced H.B. No. 4. Without previous notice, by consent of the House, entitled

"An Act to appropriate Public Moneys to defray the expenses of the Executive, Legislative, and Judicial departments of the State of Montana, and to pay Interest on the Public Debt for the first fiscal year."

Read first and second times and referred to Committee on Printing

By Roach H. B. No 5-

"A Bill for an act requiring all County and District Judges to report the fees and emoluments received by them to the County Commissioners and requiring the County Clerks to report the substance thereof to the State Auditor and for the publication of the same"

Read first and second times and referred to Committee on Printing

By Barnes, H. B. No. 6.

"A Bill for an act to amend Section 1 of an act for the better protection of Game and fish approved Feby. 28- 1889."

Read first and second times and referred to Committee on Printing

Roach from Committee of the Whole made the following report;

Mr Speaker

Your Committee of the Whole House to whom was referred H. B. No. 1 entitled "An act to provide an index to District Court Records," have directed me to report the following Amendments and with those that the bill do pass; viz: lines 5, 6 and 7, before the word General insert the word "District" and that also the word "District" be inserted between the words "of" and "Court" in line one Section one

Section 2. To amend Sec. 2 in 2d line by inserting the word "District" before the word "General"; also in line one Section 2 before the first word "said" insert the word "the" also in line one after the word "clerk" insert the words "of

the District Court in each of the respective Judicial Districts of this State"

Beach

Chairman Committee of the Whole

On motion of Conly Amendments to Sec. 1 as made by the Committee of the Whole were adopted

Wallace offered the following substitute Amendment to Section 2.

"Change first three words of section 2 to read thus "Each of said Clerks shall"

On motion of Wallace the substitute was adopted

On motion of Conly section 2, was amended as follows, before the word "General" in third line insert the word "Direct"

On motion of Conly H.B. No 1. as amended, was referred to Engrossment Committee to be engrossed before third reading.

The Judiciary Committee made the following report:

"Your Committee with reference to that portion of the Governor's Message to it submitted referring to the Board of Pardons, beg leave to report that they have examined the same and as the result thereof they submit the following Bill

Wm Wallace Jr

Chmn Judiciary Com"

On motion of Beach the report was adopted and Bill introduced without previous notice with consent of the House.

H.B. No. 7. introduced by Judiciary Committee A Bill for an act entitled "An act regulating the granting of Pardons, Commutations, Reprieves and Remissions, and Prescribing the functions and duties of the Board of Pardons"

Read first and second times and referred to Committee on Printing

On Motion of Number House Adjourned until 10. A. M. tomorrow.

Chas. L. Pond

Chief Clerk

Sixty Second Day
House of Representatives
Helena, Montana
January 29th 1891.

House met pursuant to adjournment at 10 A. M.
Mr Speaker in the chair
On Motion of Barnard, the House took a recess for 15 Minutes
10 20 A. M.
House resumed
Mr Speaker in the chair
Roll Called - quorum present
Absent - Boardman, Blair, Blake, Eaton, Carey, Goodman, Greenough, Harlan, Harrington, Haire, Hoffman, Holter, Horsky, Howey, Lockhart, Lord, Mitchell, Moran, McCormick, Norton, Phillips, Stebbins, Waite, Wing & Witter
Journal of the 61st day read and approved
The following notices of Bills were given:
By Whaley:
Mr Speaker
I am directed by the Committee on Corporations to introduce a Bill to amend Section 1881 of the Compiled Statutes of Montana
Whaley

By Hogan
Mr Speaker
I hereby give notice that I will on tomorrow or some future day of this session introduce a Bill concerning freight rates and passenger traffic on all Rail Roads in the State Montana
Hogan

By Carney
Mr Speaker
I will on tomorrow or some future day I will introduce a bill to regulate the fees of Justices of the Peace
Carney

By Pool

Mr Speaker.

I will on tomorrow or some future day introduce a Bill entitled, "An Act to amend an act entitled an act to provide for the payment of bounties for the killing of certain Stock destroying animals.

Pool.

By Woodson

Mr Speaker

Notice is here by given that I will on tomorrow or on some future day introduce a Bill for an act authorizing Municipal Corporations to raise funds for sewerage and other purposes.

Woodson

By Desoudet

Mr Speaker.

on tomorrow or some future day I will introduce a Bill for the better protection of Domestic animals and prevention of cruelty to the same

Desoudet

By Brown

Mr Speaker.

I will on tomorrow or some future day introduce a Bill entitled "an act to prevent the issuing of worthless checks

Brown

The following Bill was introduced by Barrows;

H.B. No. 8. A Bill for an act entitled, "An act to provide for the holding of regular sessions of the Supreme Court."

Read first and second times and referred to Printing Committe

Thereby Chairman of Committee on Printing made the following report;

Mr. Speaker;

Your Committee on

Printing would respectfully report that H. B. No. 2. has been correctly printed

Whaley

Clerk from Printing

H. B. No 2. having been reported back correctly printed was referred to the Committee on Education and Labor.

On motion of Kenney the House took a recess until 2 P. M.

2. P. M.

House resumed

The Speaker in the chair

On motion of Whaley the House took a recess for 20 minutes.

2 25 P. M.

House resumed

The Speaker in the chair

Roll called. No quorum

Absent- Boardman, Blair, Blake, Berry, Bowly, Eaton, Freeman, Fremaugh, Harlan, Harrington, Hastie, Hoffman, Higgins, Holter, Hooley, Howey, Lockey, Lund, Mitchell, Moran, Meweinen, Norton, Phillips, Poole, Stebbins, Waite, Wing and Wolfe.

On motion of Kenney a call of the House was ordered and the Sergeant at Arms instructed to bring in the absent Members

The Sergeant at Arms reported Bowly and Poole in their seats.

On motion of Poole further call of House was dispensed with, with the following "Yea" and "Nay" vote

Yeas, Barnard, Black, Brown, Burns, Kenney, Clarke, Conley, Courtney, Cuntchfield, Day Desault, Frank, Gilligan, Hardenbrook Hogan, Hollywood, Hughes, Humbird, Mc Elwee Penrose, Pool, Schmidt, Poole, Whaley, Wallace, Whaley, Woodson and Mr Speaker. 28 votes

Nays - 0 - Absent Boardman, Blair, Blake, Berry, Eaton, Freeman, Fremaugh, Harlan, Hastie, Hoffman, Harrington, Higgins, Holter, Hooley, Howey, Lockey, Lund, Mitchell, Moran, Meweinen, Norton, Phillips, Poole, Stebbins, Waite, Wing and Wolfe.

Conley introduced the following resolution which was laid over under the rules.

"Resolved that the Rules be amended by the adoption of the following rule.

Rule. Adjourn.

The motion "to Adjourn" takes precedence of all others, except "to fix the time to which to adjourn" which last motion may be amended "as to time"

The motion to adjourn is not debatable, it cannot be amended or have any other subsidiary motion affixed to it: nor can a vote be reconsidered.

A motion to adjourn to another hour of the day during which the House is sitting is not properly a motion to adjourn, but a motion to take a recess and does not take precedence of a motion to adjourn.

Lovely.

The following notice was given by Wallace:

Notice of Motion to amend rule 5: thus: insert after the words, "Lieutenant Governor" the words, "Members of the State Senate and its subordinate officers."

Wallace

Moved by Toole that when the House adjourns it adjourn until Saturday at 4 P.M. carried.

On motion of Penrod the House adjourned in compliance to motion of Toole, until 4. P.M. Saturday

Chas. L. Penrod
Chief Clerk

[illegible] Newcomer Phillips Wing Walker
[illegible] Stebbins Waite

Sixty Fourth Day

House of Representatives

Helena. Montana

January. 20. 1890

House met pursuant to adjournment at 4 P.M.

In the absence of the Speaker the House was called to order by the Chief clerk

On motion of Kelly, Roach was elected Speaker pro tem

Roll called- No quorum

Absent- Boardman, Blair, Blake, Carey, Eaton Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Horsky. Howey. Lockey, Loud Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins Waite, Wing & Witter

Absent on leave- Blakely, Brun, Burns, Carey, Courtney, Courtenfield, Day. Desmond, Frain, Gilligan, Hardenbrook, Higgins, Hogan. Hollywood Hughes, Hunter, McElwee, Penrose Pool, Schmidt, Toole, Tuohy, & Wallace

On Motion of Whaley. House adjourned until 8 P.M. on Monday

Chas. Z. Pond

Chief Clerk

Sixty Sixth Day

House of Representatives

Helena, Montana

January 27, 1891.

House met pursuant to adjournment at 8 P.M.

Mr Speaker in the chair

Roll called – no quorum

Absent – Boardman, Blair, Blake, Carey, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Hookey, Howey, Lickway, Lovell, Mitchell, Moran, McCormick, Norton, Phillips, Stebbins, Waite, Wing and Walter.

Absent on leave – Carney, Higgins, Hollywood, Hughes, Hunsaker – Prayer by the Chaplain

On motion of Woodson the House adjourned until 10 A. M. Tomorrow

Chas. L. Pond

Chief Clerk

Sixty Seventh Day

House of Representatives

Helena Montana

January 28. 1890

House met pursuant to adjournment at 10 A.M.

Mr Speaker in the chair

Roll called - quorum present

Absent - Boardman, Blair, Blake, Carey, Eaton, Goodman, Greenough, Harlan, Harrington, Hastie, Hoffman, Holter, Hunky, Hury, Lockhay, Lovel, Mitchell, Morris, Newcomer Norton, Phillips, Stebbins, Waite, Wing & Witter

Absent on leave - Carney

Prayer by the chaplain

The Journals of the 62nd 64th and 66th days were read corrected and approved

Notice was given:

By Mr Daly

Mr Speaker

I will on tomorrow or some future day, introduce a bill for an act to provide certain duties for county assessors

Daly

The following bills were introduced,

By Hogan.

H.B. No 9. for an act entitled An Act concerning Passenger and Freight Rates charged by any Rail Road Corporation ~~pura~~ operating or which shall hereafter operate, in the State of Montana"

By Wallace,

H.B. No 10, A Bill for an act entitled "An Act prescribing the compensation and duties of the Clerk of the Supreme Court, and regulating fees."

By W Daly.

H.B. No 11. A Bill for an act entitled "An Act to amend an act entitled an act to provide for printing and distributing ballots at the public expense and to regulate voting at State and other elections"

By W Daly

H.B. No 12. A Bill for an act entitled 'an act to amend sections 1891

and 1886 fifth division compiled Statutes & Amendments relating to the Office & Road Supervisor.

On motion of W Haley H.B. No 12. was introduced without previous notice by consent of the House.

House Bills No's 9. 10. 11. 12 were read first and second times and referred to the Committee on Printing

Beverly's resolution was read and placed on unfinished business.

The following reports were received.

Mr Speaker

Your Committee on Printing would respectfully report that H. B.'s No's 9. 4. 5 and 6 have been correctly printed

Twohy

Chmn Com. Printing

Mr Speaker

Your Committee on Engrossment beg leave to report H. B. No 1 correctly engrossed

A. M. Day

By Wallace

"Motion to amend rule "five" thus, insert after words "Lieutenant Governor" the following: "Members and subordinate officers of the Senate"

Wallace.

On motion of W Haley. the motion was referred to the Committee on Rules. House Bills No's 4. 5. 6, and 8. having been reported correctly printed were referred as follows: H.B. No 4, to "Committee on Appropriations" H.B. No 5. to "Committee on Counties, and Highways, H.B. No 6 to "Committee on Agriculture, Manufactures and Stock Growing." H.B. No 8. to "Committee on Judiciary

H.B. No 1. was read a third time the Speaker then stated "This Bill having been read three several times, the question is shall the Bill pass" the following vote was taken

Yeas: Barnes, Beach, Brice, Clark,

Lovely, Looney, Lutchfield, Day, Desault, Frank Zilligan, Hardenbrook, Higgins, Hunn, Hollywood, Hogan, McElwee, Pool, Schmidt, Soule, Turchy, Walker, Whaley, Woodson, and the Speaker - 25 votes,

Nays - Bunn and Runions - 2 votes,

Not voting - Boardman, Blair, Blake, Carey, Eaton, Feeney, Goodman, Greenough, Harlan, Hennington, Hastie, Hoffman, Holter, Hovey, Lockhay, Lund, Mitchell, Moran, Mercomer, Norton, Phillips, Stebbins, Waite, Wing and Witter, - 27 votes.

A Majority of the members elect not voting. H. B. No 1. was placed on unfinished Business.

on motion of Lovely House took a recess until 2. P.M.

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2. P.M.

House reunited

The Speaker in the chair

Roll called - 48 quorum

Absent - Boardman, Blair, Blake, Carey, Looney, Goodman, Greenough, Harlan, Hennington, Hastie, Hoffman, Holter, Hovey, Lockhay, Lund, Mitchell, Moran, Mercomer, Norton, Phillips, Stebbins, Waite, Wing and Witter,

Absent on leave - Feeney

Frank moved that House take a recess for 30 minutes - Lost

Harlan Brook moved to adjourn. Lost

Beach moved call of the House carried

The Sergeant at Arms was instructed to bring in absent Members

The Sergeant at arms reported Looney in his seat

Frank moved that further call of the House be dispensed with - Yeas 26 - noes - 2 - not voting - 26 -

on motion of Lovely the report of the Sergeant at arms was received

Hogan Moved that further call of the House be dispensed with - Yeas 26 - noes - 2. not voting 26 -

on motion of Goodson House adjourned until 10 a.m. tomorrow

Chas T. Pond

Chief Clerk

Sixty Eighth Day

House of Representatives

Helena, Montana

January 29, 1890

House met pursuant to adjournment at 10 A. M.

The Speaker in the chair

Roll called,— Quorum present

Absent — Boardman, Blair, Blake, Berry, Eaton, Goodman, Greenough, Harland, Hanning, Haskin, Holter, Howey, Hosky, Hoffman, Locking, Loud, Mitchell, Moran, McConnell, Norton, Phillips, Stebbins, Waite, Wing and Witter

Prayer by the Chaplain

Journal of the 67th day read and approved,

The following Bills were introduced,

By Breen,

H. B. No 13. for "An act to prevent the issuing of worthless checks,"

Read first and second times and referred to Committee on Printing,

By Woodson,

H. B. No 14. A Bill for an act entitled "An act empowering Municipal Corporations to raise funds for sewerage and water purposes"

Read first and second times and referred to "Committee on Printing"

By W Haley,

H. B. No 15. A Bill for an act entitled, "An act to provide certain duties for County Assessors"

Read first and second times and referred to "Committee on Printing"

Judiciary Committee made the following report:

Mr Speaker

Your "Committee on Judiciary" to whom was referred H. B. No 8, respectfully report the same back to the House and recommend that it do pass.

Wallace

Chairman Com, Judiciary

Committee on Internal improvements made the following report.

Mr Speaker

Your Committee on Industrial Improvements to whom was referred H.B. No 8. recommend that said Bill be amended by inserting the words "or any of their compounds" after the words "hydrate" in line 3, and by inserting the words "or their compounds" after the word "drugs" in line 5-

And the Committee further recommend that the said bill as amended be passed

Frank D. Higgins
Chairman, Committee on Industrial Improvements

Wallace introduced the following resolution,

"Whereas, Pursuant to act of Congress and the State Constitution, the first Legislative Assembly of Montana was called (by Proclamation of the Governor) to meet at noon on November 28th 1889 at the Court House in Helena; and Whereas, at such time and place 29 House members elect, being the 29 members who have since regularly responded to roll-call and participated in the business of the House, assembled, took the oath of office and organized the House of Representatives of the State while the remaining 25 members elect not only did not respond to the Proclimation, but in defiance thereof gathered together at a different place thought at the same time, and assumed to effect an outlawed and seeming legislative organization, the form of which they have since maintained refusing wholly to perform the duties of their office and denying obedience to the only call which could lawfully direct their assembling in an Official capacity:

And Whereas, 8 Senators assembled pursuant to Proclimation at the time and place named and assumed to effect a temporary organization of the Senate, and thereafter the 8 absent members after taking the best legal advice obtainable having decided to come in and take the oath of office and having so done out of 8 of said first named members (alone acting) having assumed to permanently

organized the Senate, under which attempted organization and no other, the so called Senate of the State has since been acting; And Whereas, no official notification of either a legitimate or an illegitimate organization of the Senate has up to the present time come to the knowledge of the House, and there is just now after days of attempted session, any organized State Legislature, in each of its branches recognizing the other as capable of passing any Bill, Memorial or joint resolution or enacting laws; and no such measure has as yet been passed: And Whereas, this House, though ever yielding from its lawful attitude, but in recognition of the great and urgent demand for legislation upon the subject of the method of levying State taxes to enable their collection for the present fiscal year and to prevent a loss of nearly $ 300,000 to the State through want of such a law: upon subject of appropriations to defray the expenses of the State government thus insuring its vigor and active administration, and of appropriations for State Prison facilities and supplies; upon the subject of the punishment of crime and Procedure thereto, and upon many other subjects less urgent but of almost equal importance: has on divers occasions endeavored to treat with the Senators with a view of securing a single and united Legislative body: and to that end has submitted to them Equal and fair and equitable propositions, ever ignoring the illegal action of the Silver Bow Canvassing Board and the right of the Silver Bow Commissioners to rely upon the vote as canvassed until cancelled by contesting regularly begun in the Body which alone of all delegated Bodys can finally determine the question and looking toward a direct treatment of the ills that now affect the State, and which more would

have been but for the vote of the ballot committed by "Jack" and "Hall") by a probing investigation of January 84, which propositions have all been rejected:

And whereas the legislature has now been in attempted session for 6 days more than the maximum period of duration allowed under the Constitution for any session of the Legislature save the first: as to which having in view the extraordinary volume of legislation required by the Constitution itself it permitted (if necessary for the accomplishment of this work) an extension of the period for 60 days longer:

And Whereas, under the circumstances now confronting us - the maximum period of ordinary legislative session having been already consumed without result, and the Legislature having expressed no desire to enjoy the above privilege of further extension of it to session accorded it by the Constitution, and being in no position, as a Legislature to express such a desire; and the Constitution also prohibiting an adjournment of either branch for more than 3 days without the consent of the other: and all attempt to ask adjournment in the interest of the public welfare having failed - there is emphatically no necessity of continuing in enforced idleness, as further period granted to no avail for actual legislative labor if necessary thereafter each day of attempted session involving, and outright expense to the State of between $700.00 and $1,000.00 per day for which it gets absolutely no equivalent: now therefore

Be it resolved: That it is the sense of the House that the Legislative Assembly should save the coffers of the State needless strain by bringing to present session but once to a close by sine die adjournment of both Senate and House and that in some manner if possible the entire deliberation should be relegated for speedy

settlement and decision to the Johnson ballot to the end that the people, from whom primarily all government emanates may make known their will, and assert their supremacy in the future of our government as they should have been permitted to do in the past.

on Motion of Humbert, the Resolution was ordered Jubilate, and on motion of Conely, made special order for 2 P.M. Tomorrow

H.B. No. 1, was read a third time

The Speaker then stated: "This bill having been read three several times the question is shall the bill pass"

The Clerk then proceeded to call the roll, which resulted in the following Yeas and Nay. Vote being cast.

Yeas:- Barnes, Black, Brun, Bunn, Conway Clarke, Conely, Courtney, Crutchfield, Day Decoudt, Frank, Gilligan, Henderson, Higgins, Hogan, Hollywood, Hughs, Hunter McElwee, Purnell, Pool, Schmidt, Swope Swoby, Wallace, Whaley, Woodson and The Speaker

Total - 29 -

Nays. - 0 - Total - 0 -

Absent- Brandon and Blair Blake, Conway Eaton, Goodman and Freeman of Harlan Harrington, Hastie, Hoffman, Holton Hosley, Howey, Lockey, Lind, Mitchell Moran, Newcomer, Norton, Phillips Stubbins, Wing Waite and Witten

The Speaker then announced that H.B. No. 1, Had received the vote of the Majority of the members Elected and was passed. Title agreed to

Conely's resolution amending rules was again read, and on motion of Conely, adopted and ordered attached to rule 85 -

on Motion of Frank Hogan adjourned until 10 A.M. tomorrow

Chas. F. Pond
Chief Clerk

Sixty ninth Day

House of Representatives

Helena Montana

January 28th 1891

House met pursuant to adjournment at 10 A.M.

Mr Speaker in the chair

Roll called - quorum present

Absent - Boardman. Blair, Blake, Emery, Eaton, Doolman, Dunning, Harlan, Harrington, Hastie, Hoffman, Holter, Horsky, Howey, Lockey, Loud, Mitchell, Moran, Norton, Phillips, Stebbins, Waite, Waid and Witter

Prayer by the Chaplain

Journal of the 69th day read and approved

Brun, Chairman committee on Education and Labor, made the following report.

Mr Speaker,

Your committee on Education and Labor to whom was referred H.B. No 2, recommend that said bill be amended by inserting the word "company" after the word "agent" in line 4 of Section 1, and your committee further recommend that the said bill as amended do pass

Brun

Chairman

On motion of Barnes House resolved itself into Committee of the whole

Committee arose

House resumed

Barnes Chairman committee of the whole reported having had under consideration H. Bills, Nos 8 and 9 and asked for further time to make report.

On motion of Pool, House took a recess until 2 P.M.

2. P.M.

House resumed

Mr Speaker in the Chair

Roll called - quorum present

Absent - Boardman. Blair, Blake, Emery, Eaton, Doolman, Dunning, Harlan, Harrington, Hastie, Hoffman, Holter, Howey, Horsky, Lockey, Loud

Mitchell, Morand, Norton, Newcomer, Reilly, Le Blanc, White, Waite, Irving and Miller

on motion of Conley the committee to wait upon the Senate was asked to report.

Committee made a verbal report through their Chairman Beach, that they had been advised not to perform the duties assigned to them until the Senate had perfected a legal organization"

on motion of Conley further consideration of report of Senate was postponed until 4 P.M. monday

Wallace resolution, "Special for 2.00 PM was taken up, Looney offered the following amendment," Strike out that part of the Resolution which reads as follows, "And in some manner, if possible, the entire dilemma should be relegated for speedy settlement and decision to the popular ballot to the end that the people, from whom primarily all government emanates, may make known their will and assert their supremacy in the future of our government as they should have been permitted to do in the past."

on motion of Looney further consideration of Wallace's resolution was postponed until 4. P.M. Monday

Frank moved that when the House adjourn it adjourn until Saturday at 4. P.M. Carried

on motion of Frank the House adjourned

Chas. L. Reed
Chief Clerk

Twenty First Day

House of Representatives
Helena, Montana
February 1st 1893.

House met pursuant to adjournment at
4 P.M.

In the absence of the Speaker the House
was called to order by the Chief Clerk

On motion of Woolman, Black was elected
Speaker pro tem

Roll called - no quorum

Present - Boardman, Blair, Blake, Berry, Calvin,
Dunham, Greenough, Harlan, Harrington, Hastie
Hoffman, Holter, Horsky, Howey, Lockey, Lovell
Mitchell, Moran, Newman, Norton, Phillips, Stevens
Waite, Young and Mr Speaker

Present on call - Blakeley, Brown, Burns,
Conroy, Clark, County, Courtney, Churchfield
Dunsmuir, Frank, Gilligan, Hamilton, Hook
Higgins, Hogan, Hollywood, Hughes, Hunter,
McElwee, Penwell, Pool, Schmidlin, Swee, Tuohy
Wallace and Wholey

On motion of Day, House adjourned until
Tuesday 4 P.M.

Chas L. Rood
Chief Clerk

Twenty Third Day

House of Representatives

Helena, Montana

February 8th 1890

House met pursuant to adjournment at 4 P.M.

In the absence of the Speaker the House was called to order by the Chief Clerk

on motion of Hunsaker, Black was elected Speaker pro tem

Roll called- all present

Absent- Boardman, Blair, Blake, Carey, Eaton Goodman, Greenough, Harlan, Harrington, Hastie Hoffman, Holter, Horsky, Henry, Lockey, Lovell Mitchell, Moran, Newman, Norton, Phillips, Stebbins Waite, Wing and Witter.

Absent on leave- Clarke, Conley, Donlan, Brook Higgins, Hogan, Hollywood, Hughes, Schmidt, Poole, Wallace, and Blakeley

Prayer by the Chaplain

on motion of Dillman House adjourned until 10 A.M. to-morrow

Chas L. Rouch

Chief Clerk

Seventy Fourth Day

House of Representatives
Helena, Montana
February 4th 1890

House met pursuant to adjournment at 10 a.m.

In the absence of the Speaker the House was called to order by the Chief Clerk

on motion of Critchfield, Beach, was elected Speaker pro tem

Roll called - 98 present

absent - Boardman, Blain, Blake, Carey, Eaton Donovan, Fearnought, Harlan, Hanning ton Hartin, Hoffman, Holter, Hunsky, Henry, Lockney Lund, Mitchell, Moran, Mooney, Norton, Phillips Stebbins, Waite, Wing and Witter

absent on leave - Hollywood, Blakely, Hungle and Poole.

Prayer by the chaplain

on motion of Brun, House took a recess until 4 P.M.

4, P.M.

House resumed

Mr Speaker in the chair

Roll called - quorum present

Journals of the 69th 71st and 70th days read and approved

Committee on Printing made the following report.

Mr Speaker

Your committee would respectfully report that H.B.s nos's, 7. 9. 10. 11. 12. 13. 14 and 15, have been correctly printed and also the Resolution introduced by Mr Wallace

J. K. Toole

Chairman Printing Com.

Beach, Chairman Committee on Agriculture Manufacture and Stockgrowing made the following Majority report

Mr Speaker

A Majority of your Committee on Agriculture, Manufacture, and Stockgrowing to whom was referred H. B. No 6. beg leave to report

that they have had the same under consideration and would recommend that all after line two in the printed bill be stricken out and in lieu thereof the hereto attached substitute be inserted and that the substitute do pass

Black
Gilligan) com

Substitute for H. B. No 6 as printed

Section 1. From the date of the passage of this act, and for a period of seven years thereafter, any person who shall willfully shoot or otherwise kill any Bison, Buffalo, Moose, Elk or Quail within this State, shall be deemed guilty of a misdemeanor, and shall be fined not more than one hundred dollars, or be imprisoned in the county jail for a period not to exceed three months, or both such fine and imprisonment for each offense committed, in the discretion of the Court, and the possession of the skin or meat of any of the above mentioned animals or wild fowl killed during said period of seven years, shall be presumptive evidence that the person having either in his possession has violated the provisions of this ~~section~~ section

The provisions of this section shall not be deemed or held to apply to persons who may have domesticated the herein mentioned animals or wild fowl before killing the same

Kearney made the following report, and Speaker

a Minority of your committee on Agriculture, Manufactures and Stock-growing to whom was referred H. B. No. 6. Beg leave to make a minority report, and recommend that it do not pass

Kearney) com

Barrows & Kinman Committee of the Whole made the following report.

Mr Speaker

Your Committee of the Whole House having had under consideration H.B. No. 3 A Bill for an act to amend certain sections of an act entitled 'An Act to prevent the sale of noxious drugs.' and H.B. No 8. A Bill for an act entitled An Act to provide for the holding of regular sessions of the Supreme Court, have instructed me, as their Chairman to report the same back to the House with the recommendation that the same do pass as printed

Barrows
Chairm Com. Whole

On motion of Mr Beach, Wallace's resolution was made Special order for 2 P.M. Thursday

On motion of Mr Hughes the House adjourned until 2. P.M. tomorrow

Chas. L. Couch
Chief Clerk

recess by Speaker Day
House of Representatives
Helena, Montana
February, 5. 1891

House met pursuant to adjournment at 2 P. M.
The Speaker in the chair
Roll called- quorum present
Absent- Bohrnman, Blair, Blake, Carey, Eaton Goodman, Greenough, Harland, Haskins, Hastie, Kilgour, Holter, Hosky, Howey, Kleasy Lovell, Mitchell, Moran, Newcomer, Norton, Phillips Stebbins, Waite, Wing and Witter

Wallace gave notice of the introduction of a bill For an act fixing number, duties and compensations of Officers and employees of State Legislature.

The following bills were introduced.

By Wallace, H. B. No 16. without previous notice. by consent of the House, "A Bill for an act entitled 'An Act fixing the compensation of members of the Legislative Assembly of the State of Montana, Read first and second times and referred to Printing committee

By Hollywood, "H. B. No. 17" A Bill for an Act entitled An Act to regulate the hours of Labor for underground miners" read first and second times and referred to printing committee.

House resolved into committee of the whole on H. B. No 2.

House resumed
The Speaker in the chair

Wolfe Chairman committee of the Whole House, reported having had under consideration H. B. No 2. and asked for further time to make report

Hogan moved that when the House adjourn it adjourn until 2. P. M. tomorrow.

The motion of Mr Mitchell that House adjourn

Chas L. Pond
Chief Clerk

Seventy Sixth Day
House of Representatives
Helena Mont
February 6, 1890

House met pursuant to an adjournment at 2 P.M.
Mr Speaker in the chair
Roll called- quorum present
Absent- Boardman, Blair, Blake, Berry, Eaton, Gordon, Greenough, Harland, Harrington, Hastie, Hoffman, Holter, Howey, Koosky, Lockey, Loud, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Waite, Wing and Witter
Prayer by the Chaplain
Wallace's resolution Special order for 2 P.M. Was taken up, Courtney withdrew his amendment, and on motion of Wallace the resolution was adopted
The following bills were introduced,
By Decoursett, H.B. No 18, A bill for an Act concerning cruelty to animals providing against persons who neglect or cruelly treat the same, Read first time
By Wallace. H.B. No 19, A Bill for an act entitled an act to prescribe the number duties, and compensation of the officers and employes of both branches of the State Legislature
Dilligan moved that when the House adjourn it adjourn until Saturday at 4 P.M. Wallace moved to amend by inserting 2 P.M
Amendment lost
Motion carried
On motion of Loomis the House adjourned

Edwin L. Bach
Chief Clerk

Seventy Eighth Day

House of Representatives

Helena, Montana

February 8th 1895

House met pursuant to adjournment at 2 P.M.

In the absence of the Speaker the House was called to order by the Chief Clerk

On motion of Beach Woodson was elected Speaker pro tem

On motion of Higgins recess was taken until 7.30 P.M.

7.30 P.M.

House resumed

Speaker pro tem in the chair

Roll called - No quorum

Absent - Boardman, Blair, Blake, Carey, Eaton, Goodman, Greenough, Harlan, Hanning, Harris, Hoffman, Holter, Horsky, Howey, Lockey, Lund, Mitchell, Moran, Mercer, Norton, Phillips, Stebbins, Waite, Wing and Wolfe

Absent on leave - Blakeley, Burns, Bunnell, Carney, Clarke, Courtney, Centerfield, Day, Devaney, Finch, Gilligan, Hardenbrook, Higgins, Hogan, Hollywood, Hughes, Hunsaker, Poole, Schmidt, Towle, Wallace, and Whaley.

On motion of Lemmly, House adjourned until 10 A.M. Monday

Chas E. Pond

Chief Clerk

Eighth Day

House of Representatives
Helena, Montana
February 10, 1890

House met pursuant to adjournment
at 10 A.M.
In the absence of the Speaker, the House
was called to order by the Chief Clerk
On motion of Conley Roach was elected Speaker
pro tem
Roll called. All present
Abbott, Bonebrake, Blair, Blake, Conley, Eaton
Goodman, Greenough, Harlan, Hemingway
Hosten, Hoffman, Holter, Hunky, Hurley, Lockney
Lund, Mitchell, Moran, Mercer, Norton, Phillips
Pettibone, Waite, Wing and Witter
Absent on leave - Blakely, Burns, Carey
Courtney, Crutchfield Desault, Dillingham, Higgins
Hollywood, Hughes, McElroy, Penrose, Poole, Schmidt
Toole, Tuohy, Wallace and Whaley
On motion of Woodson, House took a recess
until 4 P.M.

4 P.M.
House resumed
Mr Speaker in the chair
Hemingway introduced the following resolution.
"Resolved, That it is the sense of this House
that Senator Bickford has gone
Hemingway
on motion of Roach the resolution was
adopted unanimously
Roach moved that when the House adjourn
it adjourn until 8 P.M. tomorrow
on motion of Poole, House adjourned
Chas. L. Reed
Chief Clerk

Eighty First Day

House of Representatives

Helena, Montana

February 11, 1891

House met pursuant to adjournment
at 2 P.M.
Mr Speaker in the chair
Roll called - 70 present
Absent - Boardman, Blake, Blair, Carey, Eaton
Forbes, Greenough, Harlan, Haring, Mrs
Hastie, Hoffman, Holter, Horsky, Howey, Kelsay
Loud, Mitchell, Moran, Newcomer, Norton, Phillips
Stebbins, Waite, Wing and Wetter
Absent on leave - Kenney, Higgins, Hughs, Poole
Prayer by the Chaplain
Huleubee moved that when the House adjourn
it adjourn until 2. P.M. tomorrow. Carried
On motion of Frank House adjourned

Chas. L. Pond
Chief Clerk

Eighty Second Day

House of Representatives

Helena Montana

February 12. 1891

House met pursuant to adjournment at 2 P.M.

Mr Speaker in the chair

Roll called - and quorum

Absent - Biard mess. Blair. Blake Corey. Eaton Goodman Greenough Harlan Harrington Hastie Hoffman, Holter, Hosky. Howey, Lockey. Loud Mitchell, Moran, Newcomer, Norton, Phillips Stebbins, Waite, Wing and Witter

Absent on leave - Beach Courtney, Deschamps Frank. Schmidt, Dilligan, Hughs. Higgins Penrose, Poole. Purdy and Wallace

On motion Wholly. House adjourned until 2 P.M. Tomorrow

Chas L. Couch

Chief Clerk

Eighty Third Day

House of Representatives

Helena, Montana

February, 18th 1891.

House met pursuant to adjournment at 4 P. M.

Mr Speaker in the chair

Roll called - no quorum

Absent - Boardman, Bldair, Blake, Berry, Eaton, Goodman, Dreenagh, Harlan, Hennessy, Hartis, Hoffman, Holter Hosky, Howey, Ickeray, Lovell, Mitchell, Moran, Newcomer, Norton, Phillips, Stebbins, Waite, Wing and Wetter

Absent on leave - Blank, Bentley, Desmuth, Frank, Gilligan, Hardenbrook, Hogan, Hollywood, Hughes, Hunter, Penner, Schmidt, Towle and Wallace

On motion of Woolman, House adjourned until 4 P. M. tomorrow.

Chas. L. Pruett

Chief Clerk

Eighty Fourth Day

House of Representatives
Helena Montana
February 14th 1890

House met pursuant to adjournment
at 2 P.M.
The Speaker in the chair
Roll called - 70 present
Absent - Boardman, Blair, Blake, Casey Eaton
Dorsheimer, Greenough, Harlan, Harrington, Hastie
Hoffman, Holter, Howey, Lackey, Lund, Micketti
Moran, Mercomer, Norton, Phillips, Stebbins
Waite, Wing and Witter
Absent on leave - Courtney, Dussault, Francis, Billings
Hogan, Hollywood, Hughes, Powers, Schmidt, Toole
Twohy and Wallace
Prayer by the chaplain
On motion of Carney House adjourned until
2 P.M. tomorrow

Chas L. Powers
Engl Clerk

Eighty Fifth Day

House of Representatives

Helena Montana

February 15. 1890

House met pursuant to adjournment at 2 P.M.

On the roll call of the Speaker the House was called to order by the Chief Clerk on motion of Kenily. Prayer was offered Speaker pro tem

Roll called - no quorum

Absent - Boardman, Blair, Blake, Berry, Eaton Davidson, Drennigh, Harlan, Harrington Hastie, Harrington, Hoffman, Holter, Horsley Howey, Lockway, Loud, Mitchell, Moran, Norton Phillips, Stebbins, Waite, Way and Witter

Absent on leave - Burns, Clarke, Courtney Desault, Frank, Gilligan, Hubbenbrook Higgins, Hollywood, Hughes, Penrose Poole Schmidt, Toole, Twohy, and Wallace

on motion of Kenny House adjourned until 2. P.M. Monday

Chas. L. Pond.

Chief Clerk

Eighty Seventh Day

House of Representatives

Helena, Montana

February 17, 1891

House met pursuant to adjournment at 2 P.M.

In the absence of the Speaker, House was called to order by the Chief Clerk

On motion of Day, Frank was elected Speaker pro tem

Roll called. No quorum

Absent- Brandaman, Blair, Blake, Carey, Eaton, Goodman, Gromagh, Harlan, Harrington, Hastie Hoffman, Holter, Hosky, Howey, Hockney Lund, Mitchell Moran, Morton, Newcomer, Phillips, Stebbins, Wade Wing and Witter

Absent on leave- Blakely, Hogan, Hollywood, Powers Schmidt and Toole

Prayer by the chaplain

On motion of Lindsey House adjourned until 2 P.M. tomorrow

H. W. Lamb

Chief Clerk

Eighty Eighth Day

House of Representatives

Helena Montana

February 18th 1893

House met pursuant to adjournment at 2. P. M.

The Speaker in the chair

Roll called - No quorum

Absent - Boardman. Blair. Blake. Bony. Eaton. Goodman. Greenough. Harlan. Henry Wm. Hunter Hoffman. Kelly. Kirsky. Henry. Linkay. Lund Mitchell. Moran. Norton. Phillips. Stebbins. Waite Wing excd. Witter

Absent on leave - Gilligan. Hollywood. Hunter Loch and Wallace

Prayer by the chaplain

On motion of Hughes the House adjourned

Chas L. Pond

Chief Clerk

Eighty Ninth Day

House of Representatives
Helena Montana
February 19, 1890

House met pursuant to adjournment at 10 a.m.
The Speaker in the chair
Prayer by the chaplain
On motion of Cook House took recess until 2 P.M.

2. P.M.
House resumed
The Speaker in the chair
Roll called - Quorum present
Absent - Boardman, Blain, Black Casey, Eaton Lockman, Greenough, Harlan, Harney, Hartman, Holter, Hockley, Hathaway, Harvey, Lockey Lovell, Mitchell, Moran, Newcomer, Norton, Phillips, Robbins, Waite, Wing and Webber
Journals of 76, 78, 80, 81, 82, 83, 84, 86, 87 and 88 days were read and approved
On motion of Conley, House adjourned until 10 A.M. tomorrow

Chas L. Pond
Chief Clerk

Nineteenth Day

House of Representatives
Helena Montana
February 22. 1889

House met pursuant to adjournment
at 10 a.m.
In the absence of the Speaker, House
was called to order by the Chief Clerk
on motion of Carey, Cowdly was elected
Speaker pro-tem

Roll called - no quorum
Absent - Boardman, Blair, Blake, Carey, Eaton,
Goodman, Greenough, Harlan, Harrington,
Hastie, Hoffman, Holter, Hookey, Howey, Lockney
Loud, Mitchell, Moran, Norton, Newcomer, Phillips
Stebbis, Waite, Wing and Walter, Blakely,
Absent on leave - Blakely, Hughes, Frank
Twohy and Wallace
Prayer by the Chaplain
On motion of Carney, House took a recess
until 2. P.M

2 P.M.

House resumed
Mr Speaker in the chair
On Motion of Higgins, House took a recess
until 8. P.M.

8 P.M

House resumed
Mr Speaker in the chair
Roll called. quorum present
Absent - Boardman, Blair, Blake, Carey
Eaton, Goodman, Greenough, Harlan, Harrington
Hastie, Hoffman, Holter, Hookey, Howey, Lockney
Loud, Mitchell, Moran, Newcomer, Norton
Phillips, Stebbis, Waite, Wing and Walter
Journal of 21st day read and approved
Cowdly introduced the following resolution.
"Resolved that the following appeal
to the people, be adopted.

Appeal to the People

"We the members of the House of Representatives

of Montana, convened at the Court House at Helena, the capital of the State, pursuant to the proclamation of the Governor having been in session the full period of ninety days fixed by the Constitution, having in vain appealed to the judgment and sense of justice of the assembled to meet with us and enact the laws essential to the Maintainance of the State Government, and knowing full well that we have offered every inducement for a reasonable adjustment of the Legislative situation without sacrificing any of the rights of our constituents, now confidently appeal to the people the source of all lawful power, and make the following statements in vindication of our position.

It is not disputed that at the election held Oct 1st 1889, twenty nine members constituting the present House received a majority of all the votes cast and the twenty five absentees likewise received such majority,

That five persons in Silver Bow County who were not elected but claim their right to act simply by holding certificates of the Governor of the County being associated with the said absentees constituted themselves a pretended House of Representatives and acting with the one half of the Senate composed of the Republican members there of presided over by the Republican Lieutenant Governor, for the period of ninety days have by every arbitrary and unlawful exercise of power endeavored to coerce the Lawful House of Representatives and the Democratic half of the Senate into a recognition of their authority to act, and by every means in their power, by usurpation of authority have impeded and obstructed all efforts of this rightfully elected body to legislate for the benefit of the State

That these conditions have been the direct result of the action of the Republican Commissioners of Silver Bow County in rejecting the votes of 174 citizens, cast

at precinct 84 of said County, and the subsequent act of the Territorial canvassing Board, who ignoring the Judicial examination and order of the Court of Silver Bow County directing said Commissioners to count said vote and issue certificates to those elected by the vote cast, and with full knowledge of such action of said Court, and following up the unlawful act of Jack and Hall by persisting in their unlawful and revolutionary designs also struck out the votes of precinct 84, thus disfranchising directly 174 citizens of Montana and indirectly overturning the will of the majority of all the citizens of our State. We have by all the means in our powers assisted by the Democratic half of the Senate resisted this assumption of powers by these returning boards, and the subsequent revolutionary actions of the Republican half of the Senate aided by the unscrupulous ruling of the Republican Lieutenant Governor and have by our efforts succeeded finally in checking and stunning this tide of revolution and therefore confidently appeal to all good citizens to support us in the contest waged for the protection of the ballot and an honest count of the peoples votes,

We commend to the just consideration of all, the noble fight made by our Democratic Senators in this protracted contest, fully convinced that the great personal efforts made by each of them in combatting the unlicensed and outrageous acts of the Lieutenant Governor and Republican minority, will be recognized by and meet the heartfelt approval of all true and loyal citizens, notwithstanding the garbled and fraudulent records of the minority of that body

With confidence in the justice of our cause, in the ultimate victory of the people over this dishonest returning and canvassing and town board, in the final

ruction of the Republican conspiracy and the defeat of all their fraudulent attempts to set at naught the peoples will as expressed by the ballott, we rest assured that the verdict of all works are in favor of the Democratic doctrine of the majority governing. will hereafter and forever be with us

Resolved, that a committee of three be appointed whose duty it shall be to collect and publish with this appeal all facts concerning the Republican frauds attempted and consummated relating to the present Legislature assembly and its organization

on motion of Higgins the resolution was adopted

Busch introduced the following resolution

Whereas. Records of all Legislature assemblies pass into history and become a part thereof.

Therefore Be it Resolved, that it is the sense of this House that it is undignified for any body of men claiming to be a coordinate branch of the Legislature assembly to change and garble its records for the purpose of casting a reflection upon one of its members in his absence.

Resolved that we take this occasion in justice to Senator W. S. Beakes whose fair fame as a gentleman has by such a mutilation of the records been maliguantly attacked by a partizan minority of the Montana Senate

Resolved, that we hereby bear testimony and make record of the fact that in the estimation of this House the Democratic members from the Senate are men of unimpeachable honor, and that their action in absenting themselves to prevent the consideration of a fraudulent conspiracy against the ballot cannot be too highly commended by all true lovers

of a government of the people
By the

on motion of Hunter the resolution was adopted
on motion of Carney House took a recess until 10 80 P.M.

10 80 P.M.
House resumed
the Speaker in the chair
Roll called & take chair
on motion of Blakely House took a recess for 5 minutes

11 25

House resumed
the Speaker in the chair
Whereas the following resolution introduced:
Resolved: That the thanks of this House are due and are hereby tendered to Hon C.P. Blakeley for the able and impartial manner in which he has filled the position of Speaker of the First Legislative Assembly of the State of Montana. During the entire session Hon. C. Blakeley has demonstrated that he is "the right man in the right place" and the Legislature have found in its Speaker a man thoroughly conversant with the duties and obligations of the office, and Democracy an unswerving, fearless and loyal leader—

To its Chief Clerk, Chas. S. Gay, the House desires to return their sincere thanks for the very perfect manner in which he has performed the duties of his office, and for the many acts of kindness shown to members of this House

Ed. H. Carney, Assistant Chief Clerk has been an able and efficient officer and too much cannot be said in praise of him in the manner of his treatment of the Assembly and its members—

The Sergeant at Arms, Miles Finlen is a life long Democrat and during this entire session has served that whenever Democratic principles have been threatened or assailed the watchful eyes of

We Finding have been keen to discover the insult and the have been always ready to resent the same —

We desire also to return our thanks to Wm. A. Gray Assistant Sergeant At Arms; Emmet Ryan, Engrossing Clerk; Vincent Fortune, Enrolling Clerk; St. Hamm, the Door Keeper C. T. Dunn, Day Watchman; W. F. Thornton Night Watchman; Maurice Langhorne, and Felix Ryan Pages for the Courteous treatment we have received at their hands, and for the faithful discharge of their duties —

Last but not least we offer our sincere thanks to our able and efficient Chaplain, Rev. L. Trotter, whose earnestness in the Cause of Liberty has only been exceeded by the fervency of his prayers —

Carried.

On motion of Hogan resolution was adopted.

Frank Chairman of Committee elected by a caucus of the House made the following report:

We the Undersigned as a Committee from a Caucus of the Democratic Members of the House Branch of the Legislative Assembly duly directed and authorized by its prior action so to do and in behalf of the Democratic Party, for the purpose of securing forthwith a perfect Legislative Organization in which each Branch shall recognize the other, and which as a whole shall receive recognition from both Co-ordinate Divisions of the Government both Executive and Judicial --- in short to obtain at once a Single and United House of Representatives and to permit a fresh expression from the people as to which its Political Complexion should be — hereby submit to you the Republican Members of the House and through you to the Republican Party of the State the following propositions:

That the five Democratic and the five Republican Claimants to the five disputed Seats in the House from Silver Bow County shall each and all at once send in their resignation of those Seats to the Governor; that a new election be forthwith had in Silver Bow County to fill the five Vacancies thereby Caused in which the Nominees by each party respectively shall be the five persons of its own Political persuasion now claiming those Seats, to Wit: Democrats Neth. Day, A. M. Dreswalt, John H. Gilligan, Joseph Hogan and Thomas Courtney.

Republicans, A. F. Bray, C. R. Folman, W. H. Roberts,
J. H. Monteith and Wm Thompson.

And for the performance of the foregoing Covenants on our part if this proposition be accepted, we hereby pledge ourselves the Democrats above specially named, our Caucus and our party at large.

W. Sproles

A Copy of the above resolution was delivered by your Committee to Mr. A. C. Witter, who promised to present it to the organization over which he presides, and to send to this body, the action taken by them, after 11 O'Clock. P. M. and before they adjourn

H. L. Frank
C. Black
S. Hughes.

On motion of Wallace the report was ordered to be received by the House and spread on record and Committee Continued.

On motion of Wallace House took a recess for 15 minutes.

11 40 P. M.

House resumed

Mr. Sproles in the Chair.

That portion of the 90th days Journal from 10. A. M. to 11. 40 P. M. was read and approved.

On motion of Frank the hour of 12. P. M. having arrived the House adjourned Sine Die

Chas. B. Conrad
Chief Clerk.

The following reply was received from the Republican Caucus Committee in reply to Resolution submitted shortly after Sine Die Adjournment, and at the instigation of all Members of the House of Representatives I herewith annex it to the Journal of the House of Representatives.

Helena, Montana
February 20th 1889

Hon. H. L. Frank, S. Hughes & C. E. Black.
Gentlemen.

Your Resolution of this date on behalf of the Democratic Members presented to the House of Representatives Was duly received and duly Considered

We Wished call your attention to the fact that the Resolution Now submitted by Your embodies practically the same points submitted by a Committee of the House to a Committee of five of Your Members in the early part of the session which Was rejected by the Democratic Members. A different condition of things Now exist. The Supreme Court of the State has decided that the five Members from Silver Bow County, that Your Resolution shall recognize are prima facie legal Members of the House of Representatives and the only way they Can Now be Unseated is by Contest instituted by the five Democratic Claimants from Silver Bow County.

We are ready Now as heretofore to enter into an Official investigation to establish the full legal right to the occupancy of the five seats from Silver Bow County, and we desire that such investigation shall be thorough and impartial And all of the rights of the Democratic Claimants shall be accorded them.

Very Respectfully.

R. N. Harvey
Robt. T. Nicholas
E. N. Gordon
} Committee of Republican Members

Chas. J. Pond
Chief Clerk